

Exhibit 11-b

Exhibit 11-b

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they also felt that it would have been very useful to observe the OIC conduct a "demonstration interview." The Rome District Office had asked him not to because they felt that (as experienced asylum officers) the detail officers all knew how to conduct interviews. While this is true, refugee interviews differ significantly from asylum interviews, especially with regard to the paperwork to be completed and the anti-fraud procedures to be followed. For example, in asylum interviews family members are rarely separated in order to cross verify testimony and Asylum Officers don't "switch-out" interpreters to ensure their integrity.

- o Facilities in Nairobi – All interviews were conducted at the JVA facility located in Nairobi. The facilities provided were clean and comfortable, and more than adequate for our purposes.

While in Nairobi all detail officers lived at the [REDACTED]
[REDACTED] These facilities are quite pleasant and the hotel's staff is very attentive to the needs of the detailed officers.

- o Casework in Nairobi – During the Nairobi portion of the circuit ride, the team interviewed 370 scheduled cases involving almost 900 individuals. Of the 370 cases, 247 were approved (including those tentatively approved and on hold pending CLASS and/or SAO checks), 119 were denied and 4 were administratively closed.

The Nairobi casework consisted mainly of P-3 cases (i.e., those in which an anchor relative in the U.S. had filed an "Affidavit of Relationship" on behalf of the refugee applicant), Visas 92 or 93 cases (i.e., those on whose behalf an I-730 petition had been filed and approved), and re-interview cases (where the prior decision had been called into question for one reason or another or the applicant had submitted a Request for Reconsideration), along with a smaller number of P-1 cases (i.e., those who had a referral letter from the UNHCR or the American Embassy).

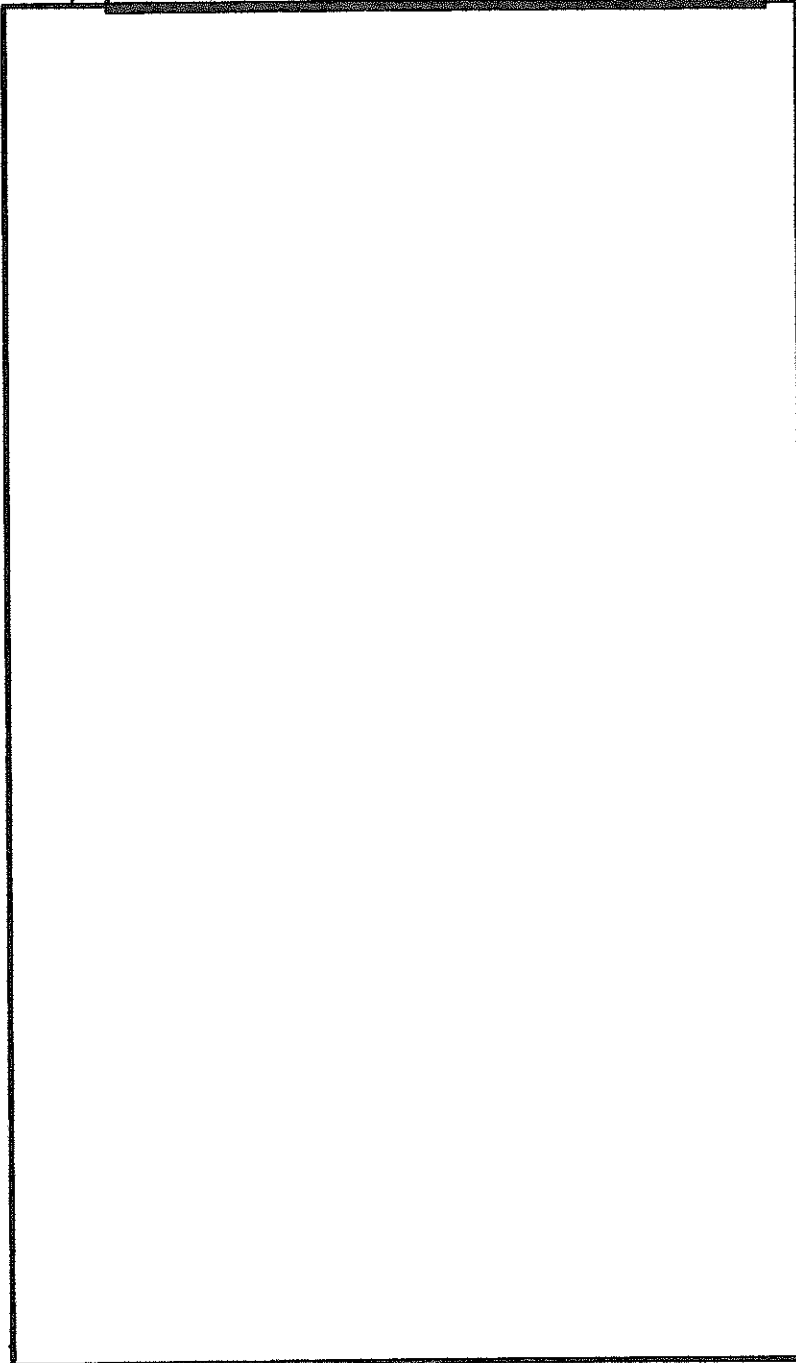
- Dadaab

- o Travel to Dadaab (Kenya) Refugee Camp – The team traveled from Nairobi to Dadaab Refugee Camp on February 28, 2005, by chartered aircraft. The trip was uneventful and all personnel, equipment and supplies arrived safely and on time. In fact, the only difficulty encountered involved adjusting from the mild climate of Nairobi to the extremely hot climate of Dadaab, where the daytime temperatures during this circuit ride reached as high as 45 degrees Celsius (113 degrees Fahrenheit). Without air-conditioning and

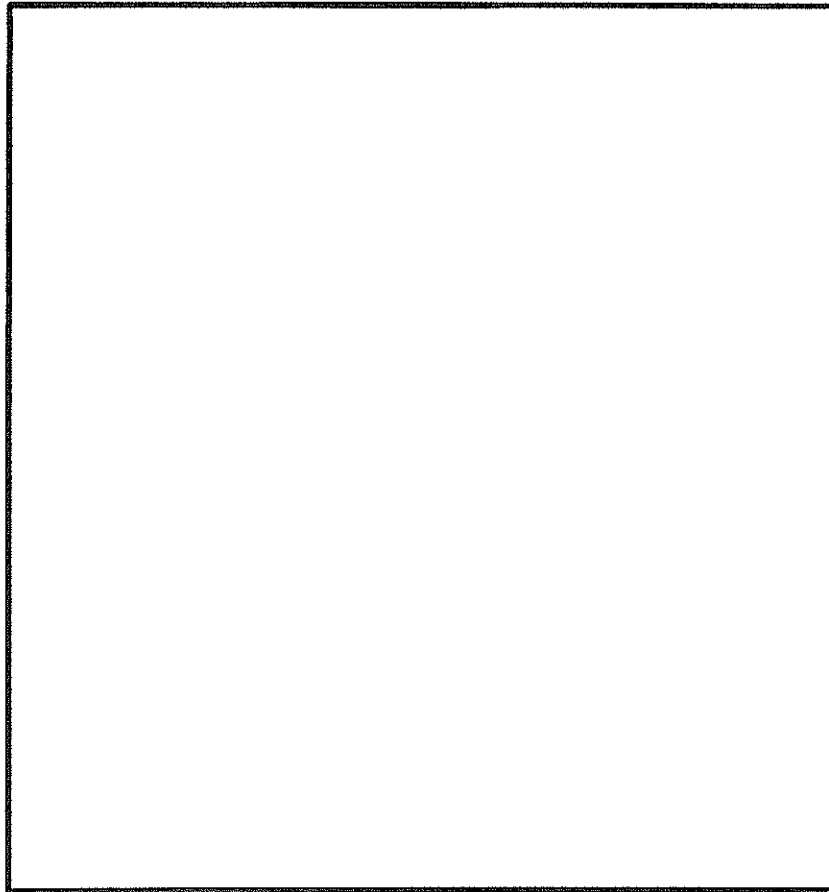
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plenty of bottled water, work in this environment would have been very uncomfortable, if not downright dangerous to one's health.

- o Physical Layout of the Dadaab Refugee Camp and Facilities at the Camp - 



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- o Casework at Dadaab Refugee Camp – During the Dadaab portion of the Nairobi circuit ride, the team interviewed 126 scheduled cases involving 468 individuals. Of the 126 cases, 94 (or 73.4%) were approved (including those tentatively approved and on hold pending CLASS and/or SAO checks), 33 were denied and 1 was administratively closed.

The majority of cases involved Benadir, or claimed Benadir, applicants for refugee status. (The Benadirs are a relatively small and weak clan in Somalia who are supposedly descended from Indian and/or Portuguese and other traders. They were able to survive, and even prosper, over the years by providing goods and services to the major clans. However, when the Somali social and governmental structures broke down, the Benadirs were targeted by the major clans who (1) were not pleased that the Benadirs were serving other clans and (2) believed that the Benadirs had accumulated significant wealth over the years from their trading activities. Sub-clans of the Benadirs include the Asharafs and the

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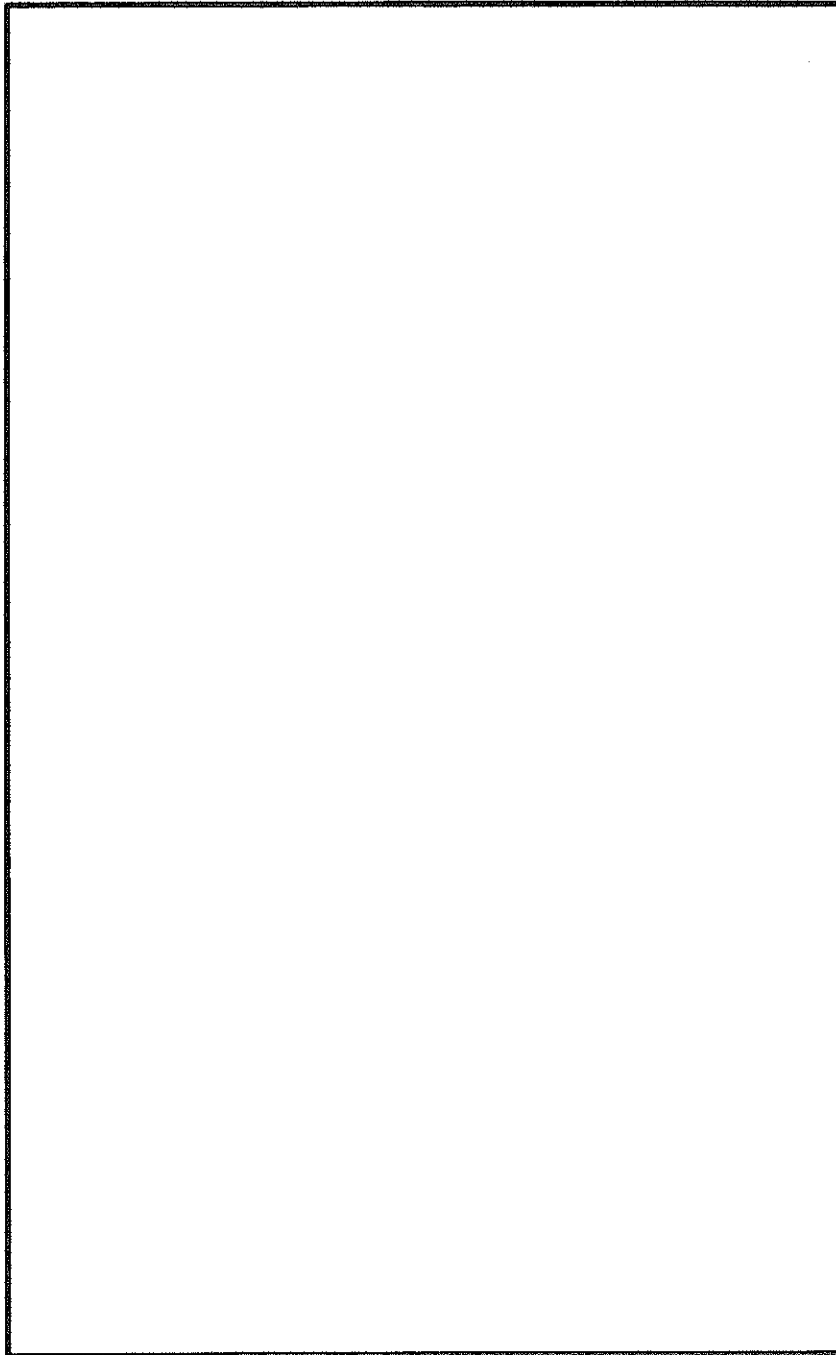
Sheikals.) In addition, the team interviewed a small number of Ethiopians, Eritreans, and non-Benadir Somalis.

The Benadir applicants had previously been identified as candidates for group processing and had been the subject of a UNHCR verification exercise in 2004.



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All refugee cases were denied and the UNHCR is looking into possible prosecution of the principals involved.

- o Travel to Nairobi

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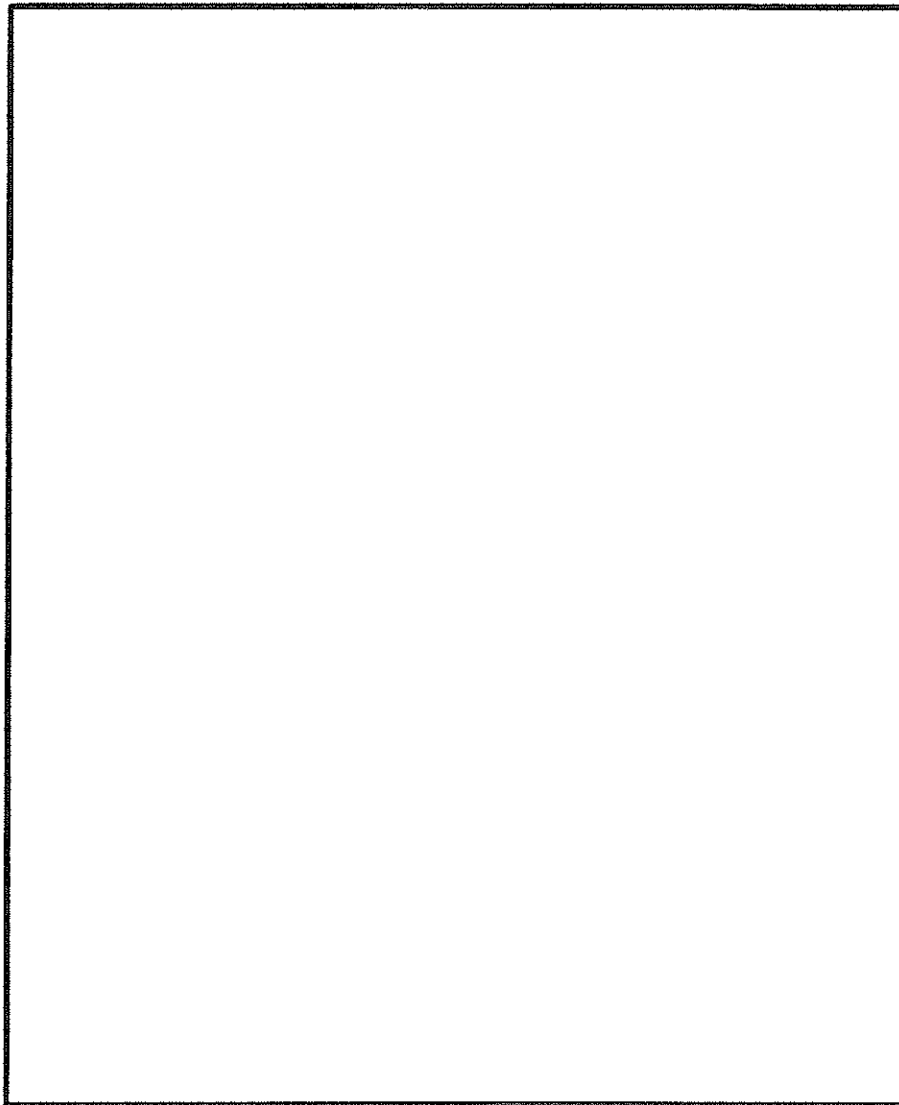
The team left Dadaab on Wednesday, March 9 and returned to Nairobi to prepare for their return to the United States. The trip to Nairobi occurred without incident.

Departure from Africa:

The team left Africa between March 10 and March 19, 2005 (one team member had been authorized to take annual leave at the end of the detail), and returned safely to the United States.

Areas of Concern and Lessons Learned:

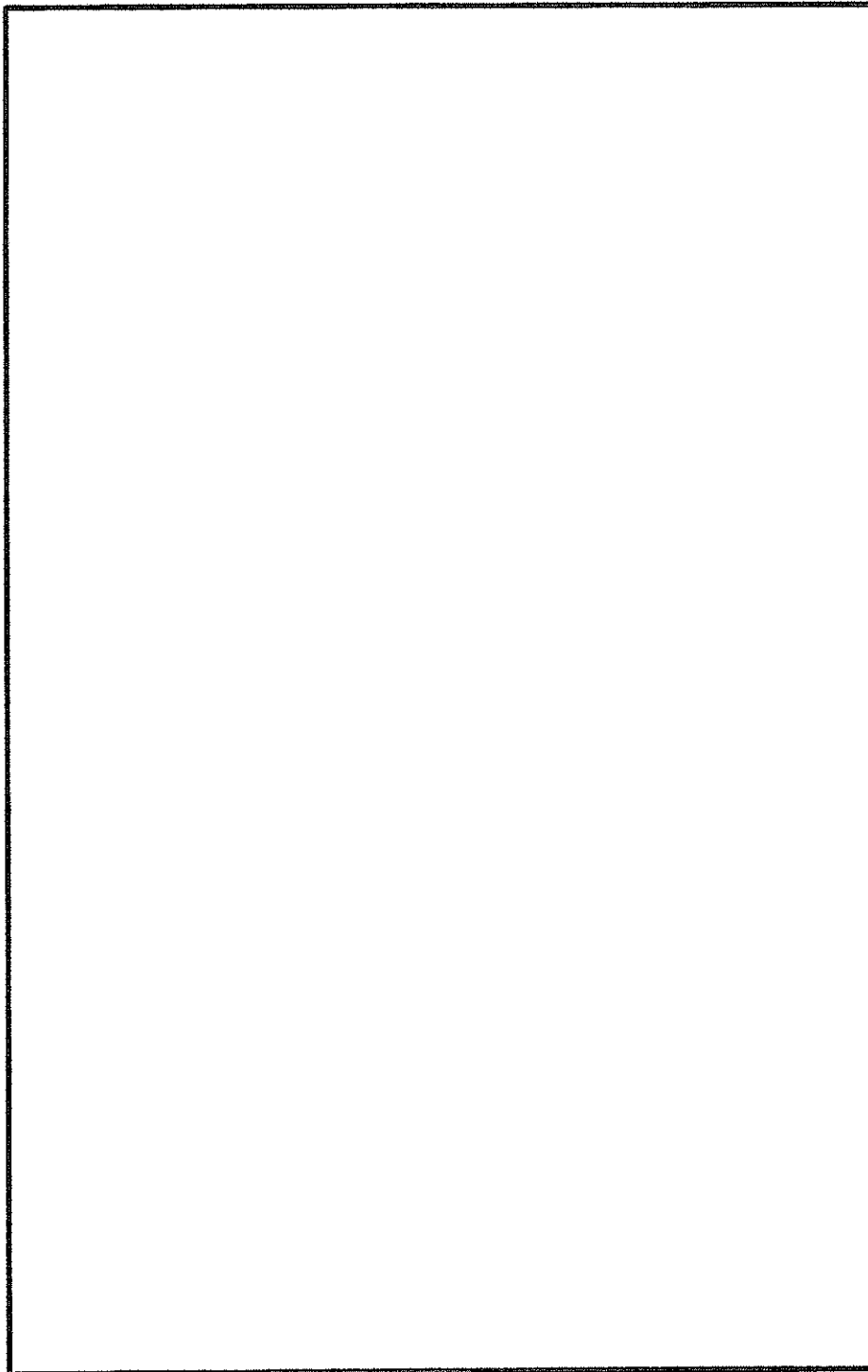
- **Security**



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- o An enhanced sense of physical security resulting from the confidence of the team in the DSLO which enabled the team members to concentrate on their interview responsibilities and the

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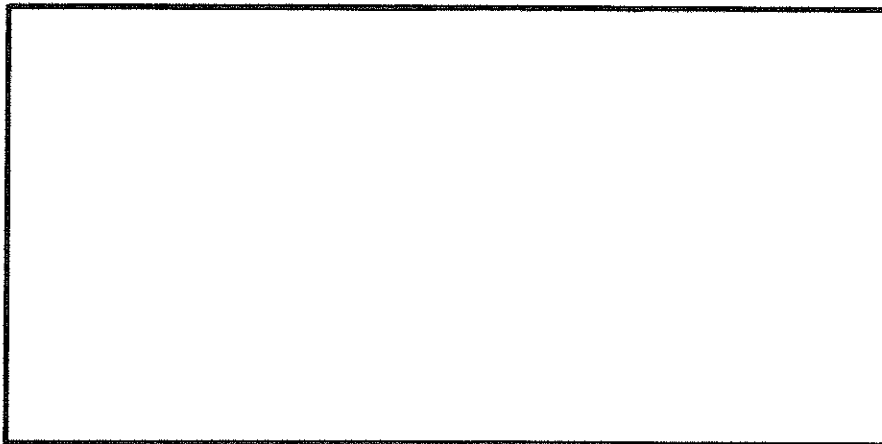
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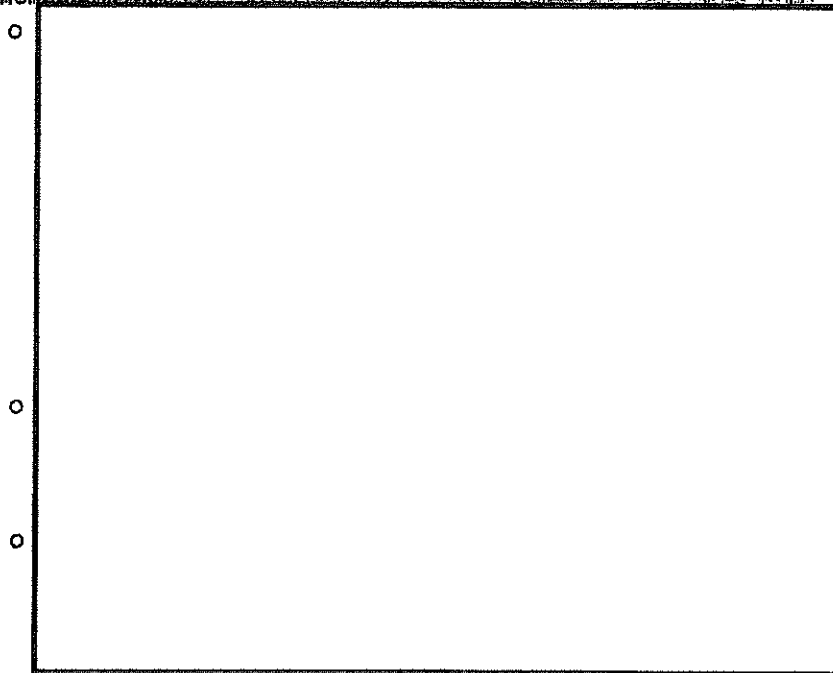
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- **Training of Future Refugee Teams**

- **Winchester Training Program:**



- **Nairobi Training Program:**

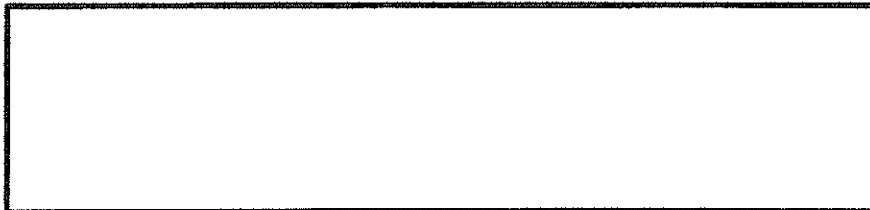
- The Nairobi Office has long had a most extensive and effective in-country training program for detailed officers. At the request of the Rome District, the normal 3-day training program at the embassy was reduced to only 2-days and the OIC's usual demonstration interview was eliminated. The detailed officers reported to the team leader that while the OIC did an effective job of condensing the embassy training course, but would have preferred to have

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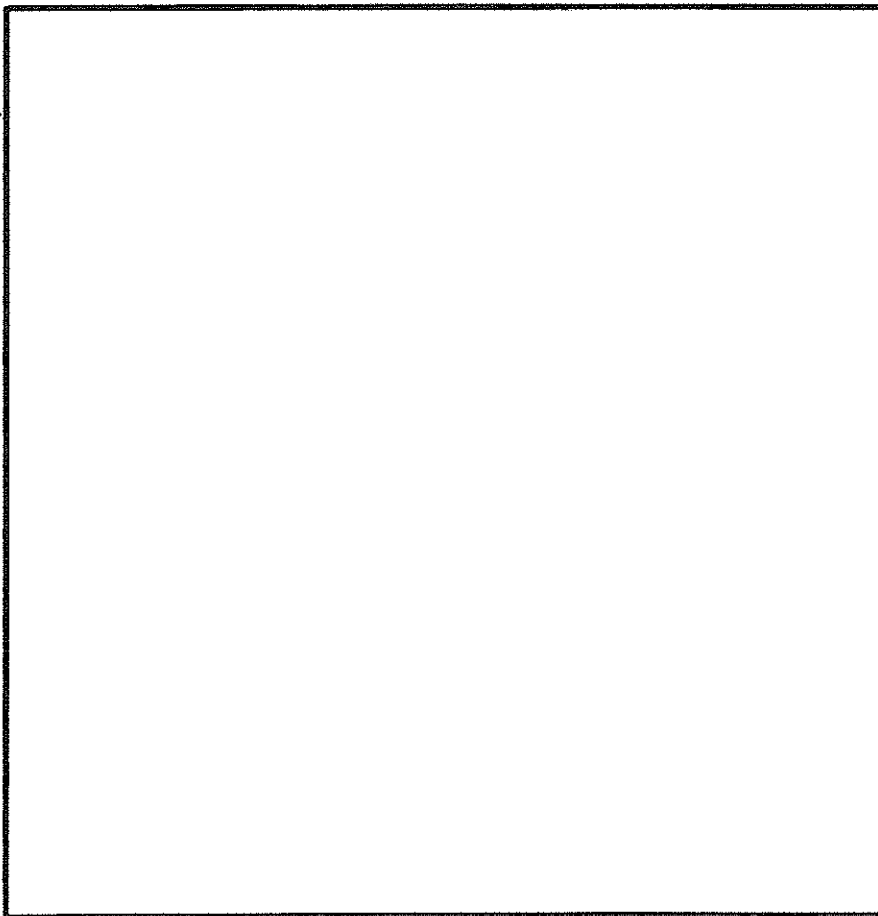
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observed a demonstration interview before turning to their caseloads.

- **Policy Regarding "Add-On" Cases**



- **Casework on Travel Days**



Concluding Remarks:

The team leader would like to note that all interviewing officers performed their duties in the most exemplary fashion, despite a number of hardships

encountered. In addition to the difficulties noted above, at one time or another each team member came down with one illness or another that (while not unusual when working in less-developed countries) would normally have resulted in the employee being unavailable for duty. However, despite such illnesses the interviewing officers continued to work together as a team for the benefit of the program and the refugees. In every respect these officers lived up to the highest standards of the USRP.

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**Refugee Processing Trip Report
Kibondo, Tanzania
October 16 – 20, 2006**

Place of Processing: Kibondo, Tanzania

Team Composition:

Dates of Processing: October 17, 2006 – October 19, 2006

Travel Days: The team traveled from Nairobi, Kenya to Kibondo, Tanzania on October 16, 2006. The plane made a short refueling stop in Mwanza, Tanzania. The team passed through Customs at Mwanza where officials stamped the passports. ~~The team traveled back to Nairobi on Friday, October 20, 2006.~~ IOM arranged for a Customs official to meet the team at the Kibondo airstrip. The team paid a \$30.00 exit tax (payable in either Tanzanian shillings or US dollars.)

Processing Venue:

Overall Statistics:

	Scheduled Cases	Approved Cases/Indiv.	Denied Cases/Indiv.	HOLD Cases/Indiv.	Closed Cases/Indiv.	No Show
Total Number	56/236	43/183	6/26	6/18	0	1/9
Percentage		77%	11%	11%	N/A	1%

Number of cases by priority:

P1: 54

P2: N/A

P3: 1

Visas 92/93: N/A

Cases Placed on Hold:

CIS put 6 cases on hold for security checks.

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CIS did not put any cases on hold for material support.

(1) No show – This family had to travel to Dar to seek medical treatment and therefore could not be present for the CIS interview.

I. Processing Partners

A. OPE

JVA Nairobi

Team Leader



B. UNHCR

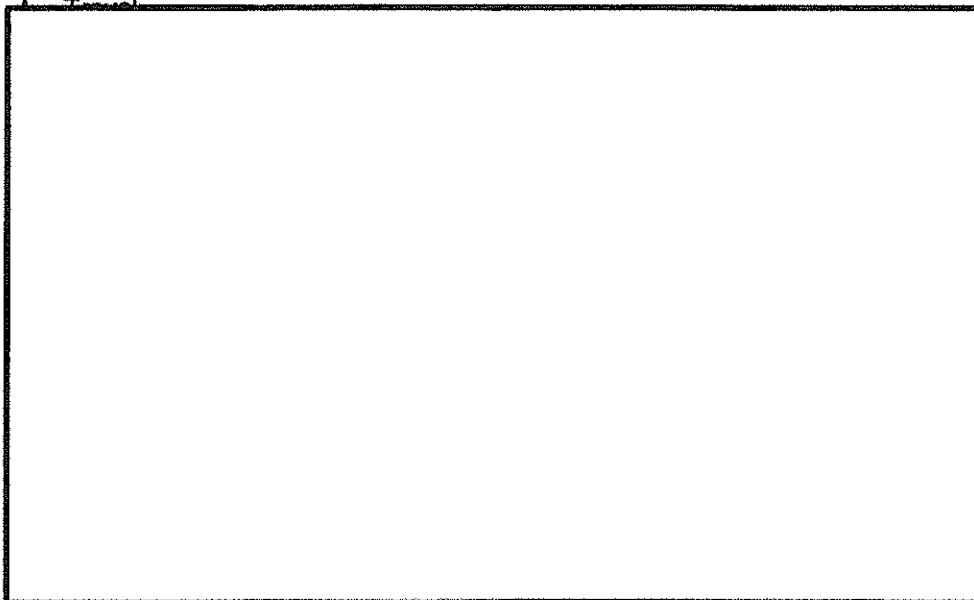
POC:



Resettlement Expert

II. Logistics

A. Travel



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B. Hotel Accommodations

[Redacted]

Food

[Redacted]

C. Security – Personal Items/Money

[Redacted]

D. Work Schedule and Transportation

[Redacted]

E. Interpreters

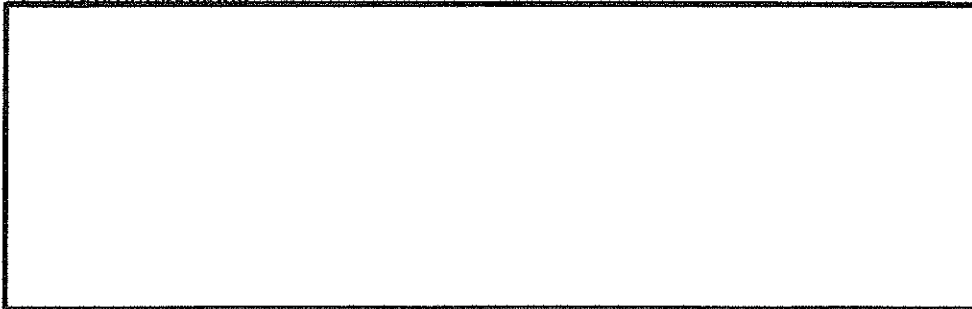
The languages interpreted during this circuit ride included Kirundi and Kiswahili. Three members of the CIS team noticed deficiencies with one of the interpreters alleging proficiency in Kirundi. The TL notified JVA.

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F. Communications

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G. Miscellaneous Matters

N/A

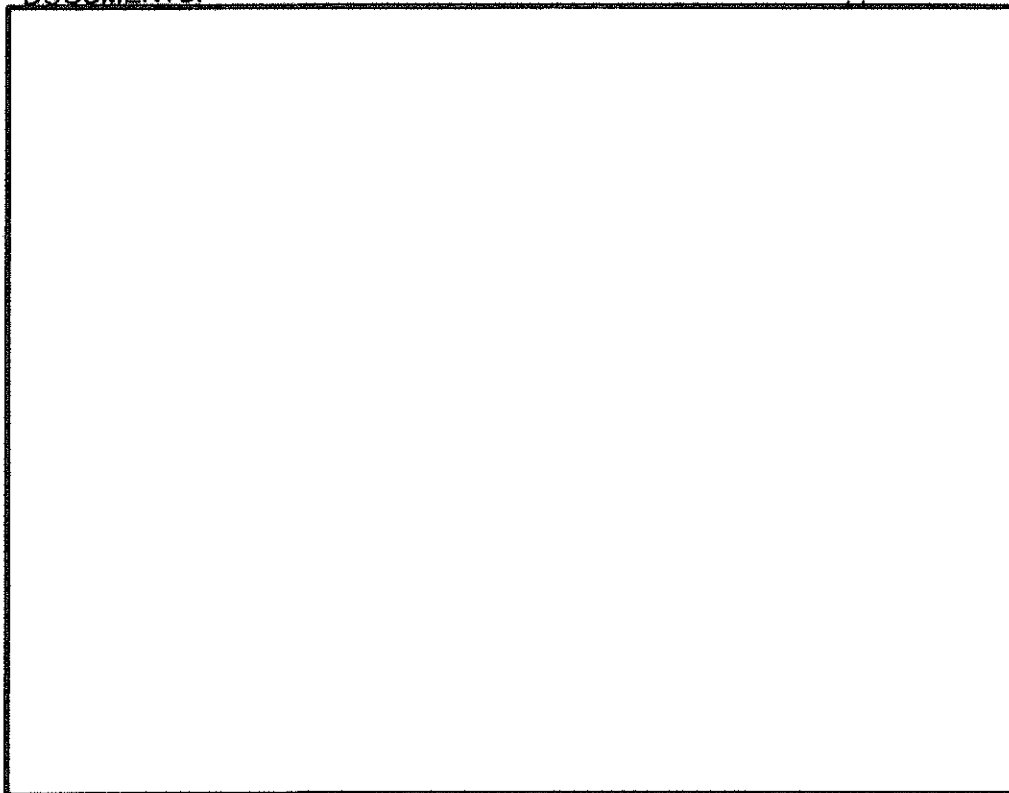
III. Caseload Issues

A. Description of Case Load

The team interviewed 3 cases from the Democratic Republic of Congo and 52 cases from Burundi.

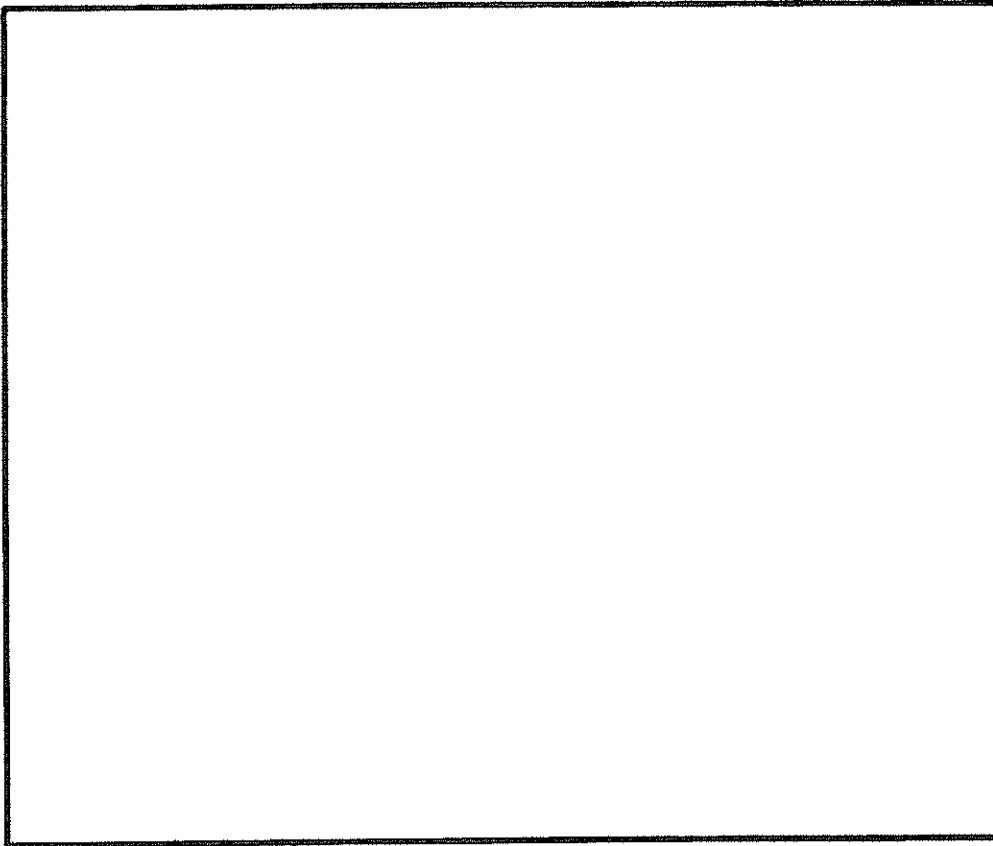
B. Problems or issues with Case Load

DOCUMENTS:

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***NOTE** Subsequent to this circuit ride, RAD clarified the issue of access for P1s vs. P3s in an email sent thru the desk officer on November 17.

C. Trends Observed

N/A (The team only interviewed for three days; there were no trends observed except the aforementioned document issue and confusion over the application of the add on policy for P1s.)

IV. Other Issues

A. Family Trees

N/A

B. CLASS Hits

N/A

C. RAVU Envelopes

N/A

D. DHS Stamps

N/A

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E. Scheduling

N/A

V. Close-Out Partners Meeting

Both the JVA and CIS team leader agreed to raise the P1 add-on policy at their respective team debriefs.

DHS Team Leader

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Refugee Processing Trip Report
Libreville, Gabon - DHS/CIS
2/16/07-3/1/07

Place of Processing: Libreville, Tchibanga, Franceville

Team Composition:

Dates of Processing: 2/20/07-3/1/07

Travel Days: 2/15/07; 3/1/07 & 3/3/07

Processing Venue: UNHCR Offices

Overall Statistics: (Double click on the table below to open Excel Spreadsheet - Input the total case/people values - the Percentages will be automatically calculated)

	Scheduled		Approved		Denied		Hold		No Show		Closed	
	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
Total #	84	207	68	165	11	27	5	15	0	0	0	0
Percentage	100.00%		79.71%		13.04%		7.25%		0.00%		0.00%	

Number of cases by priority:

P1: 83

P2: 0

P3: 1

92/93: 0

Cases Placed on Hold:

Miscellaneous: (I-602 waivers; Hold Lifts; Baby Add-ons, etc)

In addition to the above, four re-interviews were conducted on March 1, 2007 in LIB: These cases were subsequently scanned into WRAPS for HQ review.

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I. Processing Partners***A. OPE***

Libreville: [redacted] Protection Officer [redacted]

[redacted] Franceville: [redacted]

C. DOS [redacted] Vice Consul, US Embassy [redacted] Ref Coord,
US Embassy Accra, accompanied***II. Logistics***

A. Travel Due to circuit ride scheduling changes prompted by violence in Guinea, our arrival date in Gabon was moved up. As to the inquiry of whether Gabon visas need amending to reflect the earlier entry date, Embassy travel office stated via email that official passport holders do not require Gabon visas (despite a contrary statement in the country clearance). The visas were thus left as-is. There were no issues upon arrival.

The team was scheduled to arrive at 11:55 pm on Feb. 15, but instead arrived Feb. 16 at 5:00 am due to an apparent technical problem on Air Ivoire. The team therefore spent the entire evening at the airport and the entire night flying.

An expeditor met the team at the airport, greatly facilitating the entry process. The control officer sent along a welcome note to each CIS and OPE team member, indicating logistical arrangements, the day's schedule, RSO briefing, use of embassy cashier and a dinner invitation.

Internal Gabon travel also required the assistance of an expeditor as it was said that Gabonese security can be tricky to navigate. The internal flights to Franceville and Tchibanga kept reasonably to their schedules but had luggage issues. Both small planes loaded an apparent excess of luggage throughout the aircraft, including the passenger seating areas. Further, a key piece of luggage, the fingerprint equipment, was not loaded onto the plane in Franceville, despite checking it in. The luggage did arrive two days later after much persistence by the travel office staff and the TL.

At the conclusion of the ride, the team was scheduled to leave Libreville on Air France, however significant problems occurred. Notwithstanding Travel Office confirmation of the flight reservations, at the airport, Air France claimed that two of the team members had no reservations on that date, with no explanation. Both members were forced to fly out two days later (after recovery of fingerprint equipment). It would appear that earlier on, when flight reservations were changed due to scheduling adjustments, the original ticket numbers were not applied to the new reservations, but this is unclear.

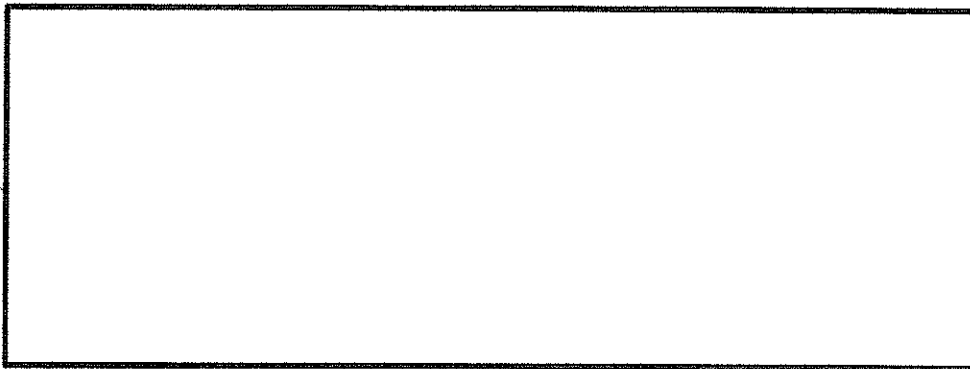
B. Hotel Accommodations Lodging was provided at [redacted] whose rooms ranged from adequate to nice and included breakfast. The power frequently went out due to rolling blackouts throughout the capital. Upon request, the Embassy travel office managed to arrange direct payment to the hotel, however, the \$300 cash deposits that were required of us individually was refunded only in CFA.

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The half of the team that went to Tchibanga stayed at [REDACTED] which had comfortable rooms. Power outages were also a problem in Tchibanga as the hotel generator often failed. Breakfast was not included in the room price, which was set at the UNHCR rate of about \$42.00 per night.

The team members who went to Franceville stayed at the [REDACTED] reported to be comfortable, air conditioned and inexpensive.

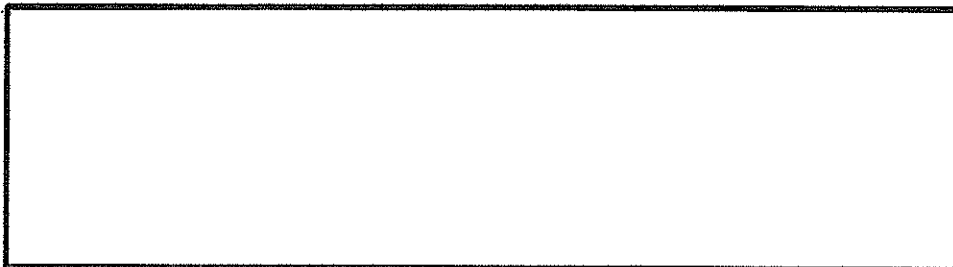
C. Security – Personal Items/Money The [REDACTED] provided money changing services. The TL also used the Embassy cashier to cash personal checks and to change money. The team did not have significant security issues in any of the three locations in Gabon.



D. Work Schedule and Transportation The Embassy arranged for a rental car and driver for the team in LIB. The driver was efficient and prompt but spoke only French. During airport transfers, the Embassy motor pool was provided, along with the expediter.

UNHCR provided transportation in both Tchibanga and Franceville.

E. Interpreters There were no major issues with interpreters.



III. Caseload Issues

A. Description of Case Load The team saw all P1 cases, nationals of Congo-Brazzaville.

B. Problems or issues with Case Load Some RRFs appeared to contain language that was cut and pasted from other files but did not apply to the PA. The OPE case summaries did not address this issue, but OPE acknowledged it in the close-out meeting.

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Two instances arose where would-be add-ons did not meet the case composition guidelines but otherwise had access. [REDACTED]

C. Trends Observed Many of the cases seen involved PAs fleeing due to civil strife, according to the RRFs, such that individualized harm had to be carefully elicited, or else the claim was solely one of well-founded fear. The predominant nexus was Southern-Congolese origin and ethnicity, usually university educated and politically active.

IV. Other Issues

A. Family Trees No issues.

B. CLASS Hits No issues.

C. RAWC Envelopes Not applicable.

D. DHS Stamps No issues.

E. Scheduling No issues.

V. Close-Out Partners Meeting

We had an informal dinner on the last night of the circuit ride, attended by CIS, OPE and the Libreville UNHCR protection officer. The issue of the RRFs' formulaic language was brought up. It was suggested that OPE ensure to address all elements of the RRFs in their case histories so as to minimize the potential for inconsistencies.

[REDACTED] SRO/DHS Team Leader

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Refugee Processing Trip Report
Location- Kenya DHS/CIS
Dates: January 28, 2008 to February 26, 2008

Place of Processing:

Nairobi

Team Composition: Team 2/B

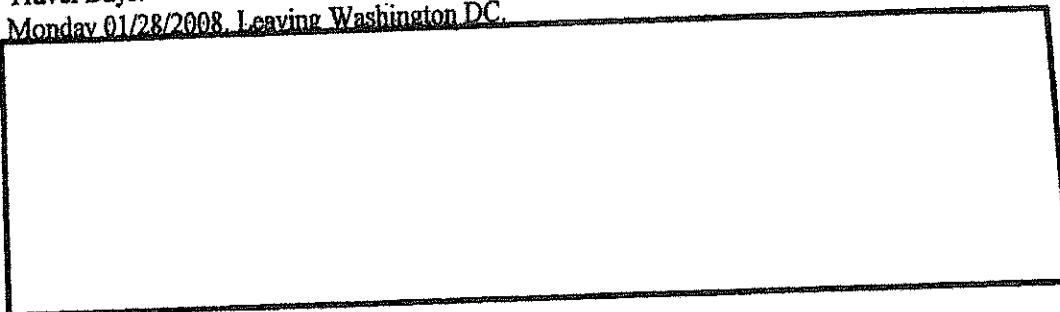
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5. 

Dates of Processing:

From Feb 01, 2008 to Feb 12, 2008.

Travel Days:

Monday 01/28/2008. Leaving Washington DC.



Processing Venue:





Overall Statistics:

At the end of this report, please find a comprehensive statistical report about cases processed in Nairobi, Kakuma, and Dadab.

Note: Team 2 (B) listed above processed cases in Nairobi and Kakuma, while team 2 (A) processed in Nairobi and Dadab.

This report lists only cases processed in Nairobi and Kakuma.

I. Processing Partners

A. OPE: Joint Voluntary Agency (JVA)  was our team leader in Nairobi, and  was the team leader in Kakuma.

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B. UNHCR: Brief meet and greet with the UNHCR representative at Kakuma refugee camp. He informed us about the ongoing repatriation to Southern Sudan. He indicated that Kakuma camp's population went down from 90,000 to 60,000 as a direct result of the repatriation efforts. He further stated they have slowed the process when the Southern Sudanese Government and the local NGOs have requested so because they were not able to absorb the large number of repatriating refugees and provide them with the necessary service at the same time.

II. Logistics

A. Travel

B. Hotel Accommodations

C. Security – Personal Items/Money

No security problems have been reported.

D. Work Schedule and Transportation

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E. Interpreters

1. Team A and B leaders received many complaints about the interpreters. Both team leaders have addressed the issue with JVA leaders. The main complaint was that the interpreters, although many were available at their waiting area, demonstrated lack of motivation to work. They either ignored the interviewing officers completely when they asked for help, or responded reluctantly to such requests. It was quite obvious to all the officers to the extent that they wondered if they were working for free.

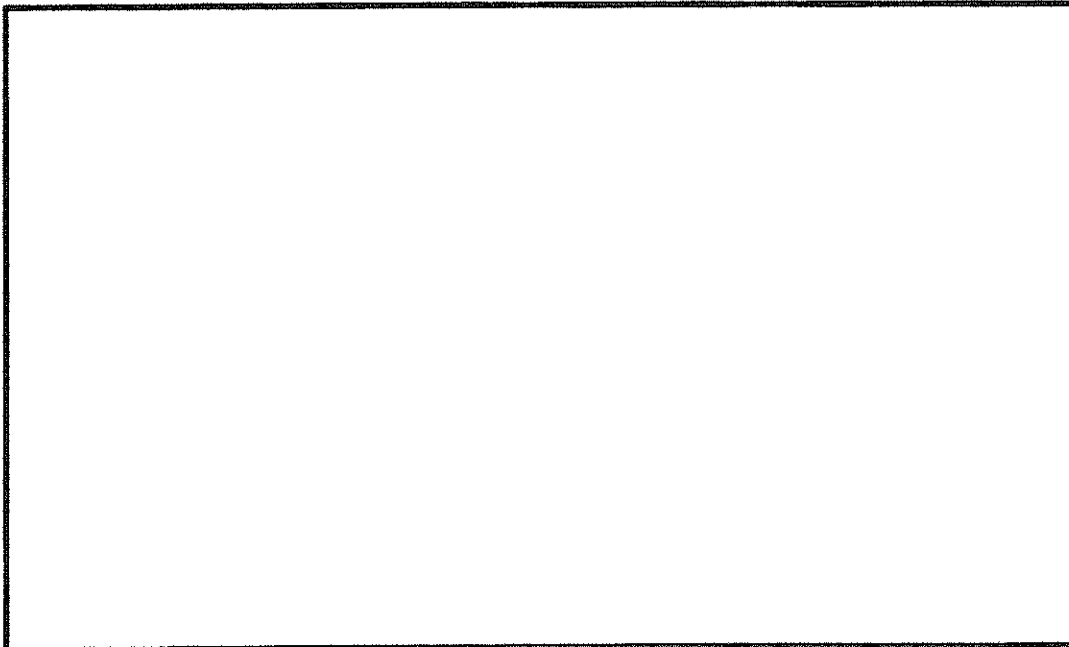
The team leaders have addressed the issue with JVA FTL. They provided specific recommendation to solve the problem; however, the team leaders continued to receive complaints about this issue until the last day in Nairobi.

Note: There were no interpreter problems in Kakuma refugee camp, and no reports of complaints about the interpreters in Dadab.

A team member comment about the interpreters:-

~~(Throughout both teams circuit rides, they worked in Nairobi twice. On the first visit, several~~
ROs and AOs noted the interpreters' poor attitudes. Often, when an adjudicator went to "the pen" (where the interpreters are located) to request an interpreter, when the adjudicator asked for a specific language (most often), no interpreter seemed to take note of the request. Rather, the speaker of that language, (who are the majority) appeared to completely disregard the request.)

F. Communications



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G. Miscellaneous Matters

This circuit ride is different because there were two teams who worked together in Nairobi for a number of days. The two teams split when team A went to Dadaab and team B to Kakuma. The two teams met again in Nairobi and worked together until team B traveled to Zimbabwe on Feb 26, 2008. While in Nairobi, the team leaders shared responsibility and worked in harmony. Team members continued to work with both team leaders and came with their questions and inquiries to whoever was available. It is safe to report that all team members were professional officers. Each one demonstrated high level of professionalism and maturity.

III. Caseload Issues

A. Description of Case Load

Cases in Nairobi:

See statistics at the end of this report.

Summary:

1. 65% of the P3 cases adjudicated between Feb 2nd and 8th were approved, while 18% were denied.
2. 30% of the P3 cases adjudicated between Feb 20th and 28th were approved while 38% were denied.
3.
4. Cases in Kakuma were straight forward. Please refer to the summary statistics at the end of this report.

B. Problems or issues with Case Load

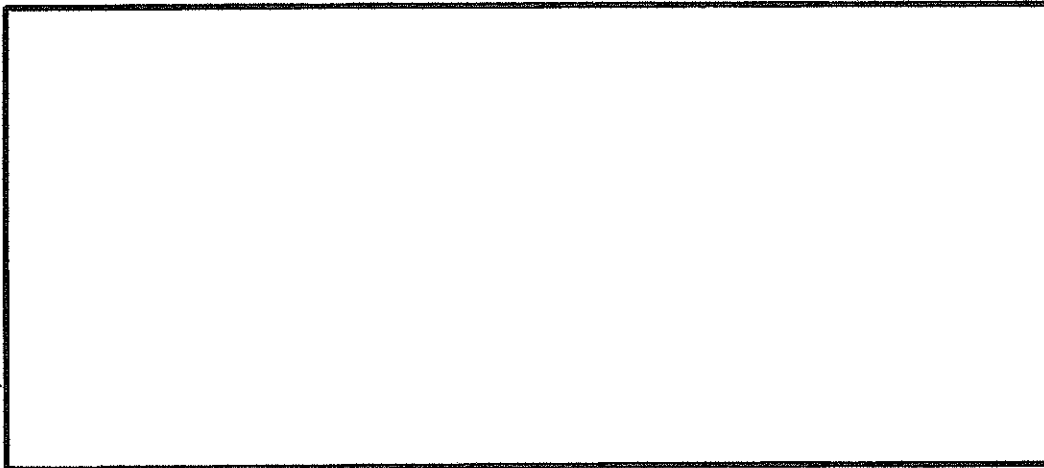
C. Trends Observed

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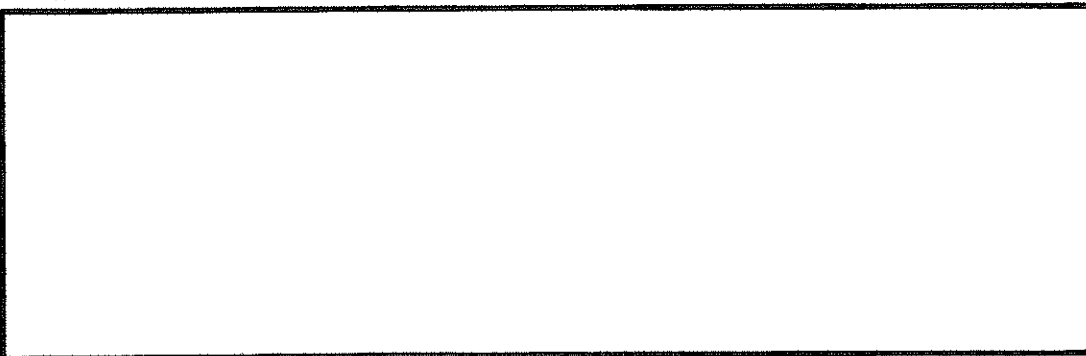
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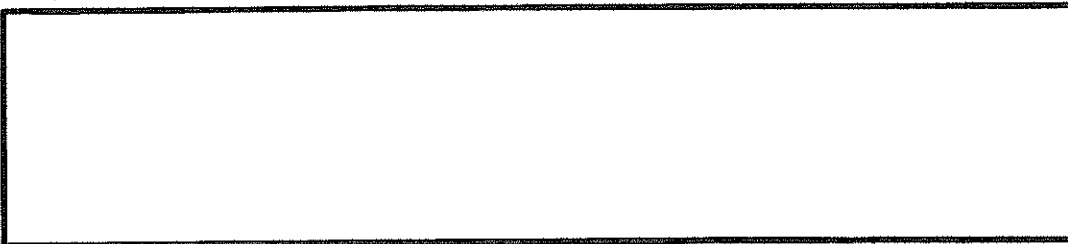
IV. Other Issue

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A. Family Trees

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B. CLASS Hits

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C. RAVU Envelopes

No issues.

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D. DHS Stamps

One Asylum Officer reported without the approval stamp. She was allowed to use the team leader's stamp.

E. Scheduling

No issues to report in this area.

F. OtherV. Close-Out Partners Meeting

No close out meetings were held in Nairobi or Kakuma.

Name /DHS Team Leader

March 31, 2008

NBO CIS FEB 02 - 08, 2008

	Total	P1	P2	P3	V92	V93	No Show
Scheduled (Cases/Individuals)	174/362	15/31		159/331	0	0	3/13

NBO CIS FEB 02 - 08, 2008

	Total	P1	P2	P3	V92	V93
Approved	104	1		103		
Denied	33	4		29		
Deferred	3			3		
Hold	9	5		4		
Security (Approved)	2	1				
(Hold)		1				
Closed	6			6		
Resched.	17	2		15		

¹ The difference in total cases in table 1 and the total cases in table 2 is as a result of 3 applicants, split from their parent cases to their own cases and were closed. (2 RE-1'S and 1 RE-2).

- 2 1 case was denied for lack of credibility but also had material support issues.
- 3 There were no Visa cases, scheduled on this circuit ride.

CIS DAD FEB 06 – 15 2008

	Total	P1	P2	V93
Scheduled (Cases/ Individuals)	182/408	180/402	1/5	1/1
No show	0/0	0/0	0/0	0/0

CIS DAD FEB 06 – 15 2008 Adjudicated Cases

	Totals	P1	P2	V93
Approved	110/206	109/205	0/0	01/01
Denied	33/69	33/69	0/0	0/0
Deferred	0/0	0/0	0/0	0/0
Hold	34/92	34/92	0/0	0/0
Closed	0/0	0/0	0/0	0/0
Rescheduled	02/18	02/18	0/0	0/0
No show		1/1		
Totals	179/385	1/1		

About the statistics

The scheduled cases reflected in Table 7.1 include cases rescheduled for add-on babies. These five cases are not included in table 7.2, since they are not reported in the preliminary results list. Of the five add-on baby cases, 2 cases of 4 individuals were approved and 3 cases of 25 individuals were placed on hold.

The difference between the scheduled and adjudicated cases is due to those five add-on baby re-interview cases (not reflected in adjudicated cases) and three cases added to the circuit ride during processing. The three cases were added as follows:

- 1 One case had to be split from its mother case as an RE-1.
- 2 Another case had been removed from the circuit ride by the scheduling department but since all of the cross-referenced cases were still on the circuit ride, CIS agreed we should add the case back in.
- 3 The third split was a deceased case member who is reflected in the statistics above as a no-show. Note that no cases were no-show. It was only the deceased member (split) that is reflected above as a no-show.

KAK CIS FEB 11 – 15, 2008

	Total	P1	P2	P3	V92	V93
Scheduled (Cases/ Individuals)	72/221	62/171	8/48	0/0	0/0	2/2

KAK CIS FEB 11 – 15, 2008 Adjudicated Cases

	Total	P1	P2	P3	V92	V93
Approved	41/78	39/76	1/1	0/0	N/A	1/1
Denied	7/27	5/17	1/7	0/0	N/A	1/1
Deferred	3/12	3/12	0/0	0/0	N/A	0/0
Hold	9/25	8/24	1/1	0/0	N/A	0/0
Closed	0/0	0/0	0/0	0/0	N/A	0/0
Totals	60/140	55/129	3/9	0/0	N/A	2/2

Please note: The percentages in Table 7.3 refer to the number of cases for each decision, not the number of individuals.

- The discrepancy between the number of cases/individuals scheduled in Table 7.1 and the number of cases/individuals adjudicated in Table 7.2 can be explained by the following: 1. Several Post-CIS add-on baby cases appear on the original schedule but do not appear in the preliminary list as they previously had decisions issued on the preliminary list of an earlier circuit ride.

(b)(7)(e)

NBO CIS 20 – 28 Feb 2008

	Total	P1	P2	P3	V92	V93
Scheduled (Cases/Individuals)	306/641	47/113	0/0	221/490	9/9	29/29

NBO CIS 20 – 28 Feb 2008 Adjudicated Cases

	Total	P1	P2	P3	V92	V93
Approved	110/203	25/50	0/0	66/134	2/2	17/17
Denied	102/266	7/16	0/0	83/238	3/3	9/9
Deferred	4/13	2/8	0/0	1/4	0/0	1/1
Hold	25/72	6/25	0/0	17/45	1/1	1/1
Closed	31/31	0/0	0/0	31/31	0/0	0/0
Reinterview.	22/40	1/8	0/0	23/42	0/0	0/0
Rescheduled	7/9	5/7	0/0	0/0	0/0	0/0
No Show	8/9	0/0	0/0	4/5	3/3	1/1
Total	309/650	47/114	0/0	224/498	9/9	29/29

- 1 The four CIS deferred cases had material support issues.
- 2 Two cases were rescheduled to a future CIS circuit ride by JVA as one day was overscheduled.
- 3 Five P1 cases were rescheduled because one PA was a no show so the cases had to be deferred back to INHCR by JVA.

4



- 5 The difference in the 306 cases scheduled and the 309 cases indicated in the many tally is as a result of No show applicants on the parent cases being to their own cases. The difference in total individuals is as a result of add-ons/newborn babies.

(b)(6)

(b)(7)(f)

**Refugee Processing Trip Report
CHAD May 13th-May 22nd, 2009**

Place of Processing: Abeche, Chad

Team Composition:

Dates of Processing: May 17-May 21, 2009

Travel Days: May 13, May 16, and May 22.

Processing Venue:

Overall Statistics:

SCHEDULED		APPROVE		DENIED		Gold Security Checks		ROCK SAO Checks		DEFERRED Material Support Guidance		DEFERRED Material Support Guidance RAD Guidance	
Cases (C)	People (P)	C	P	C	P	C	P	C	P	C	P	C	P
39	172	1	1	0	0	20	68	5	31	1	2	11	67

Cases Placed on Hold:

- 38 cases pending Class and SAO checks. All cases were OPE pre-screened a few days before CIS arrived, so none had cleared prior to adjudication. One case cleared post-interview and was approved while CIS was in the field.
- 11 cases placed on hold pending RAD guidance and clarification on polygamy.
- 1 case was put on hold pending material support guidance (the Applicant was detained and forced, under duress, to cook, clean, fetch food and water for Janjaweed).
- All cases involving children with only one parent on the case are awaiting English versions of the Release of Custody (ROC)—in this caseload, UNHCR, instead of OPE, obtained ROCs, in French, with no translations included.

(b)(6)

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I. Processing Partners

A. OPE - [REDACTED] Field Team Supervisor, Accra, Ghana

B. UNHCR - [REDACTED] Senior Protection Officer, N'djamena

II. Logistics

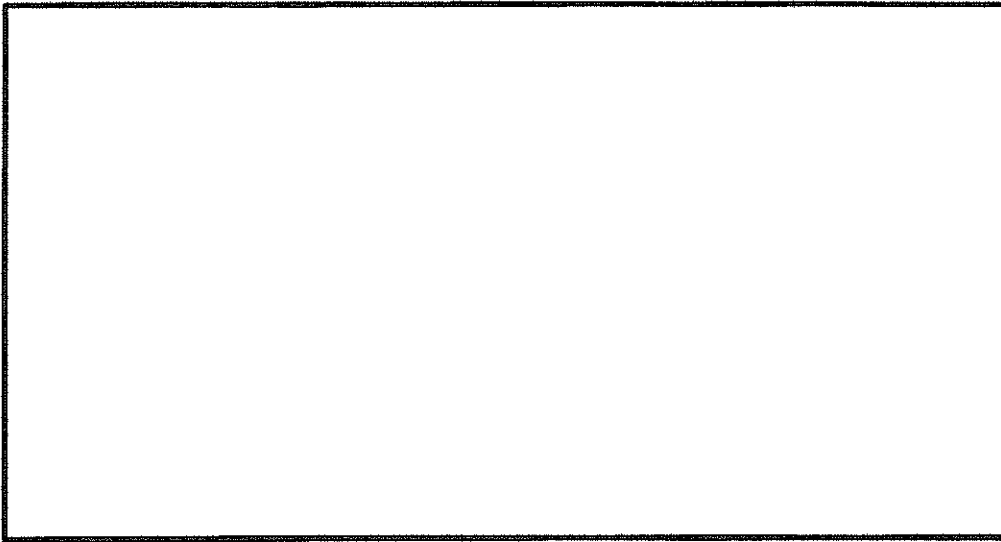
A. Travel:

[REDACTED]

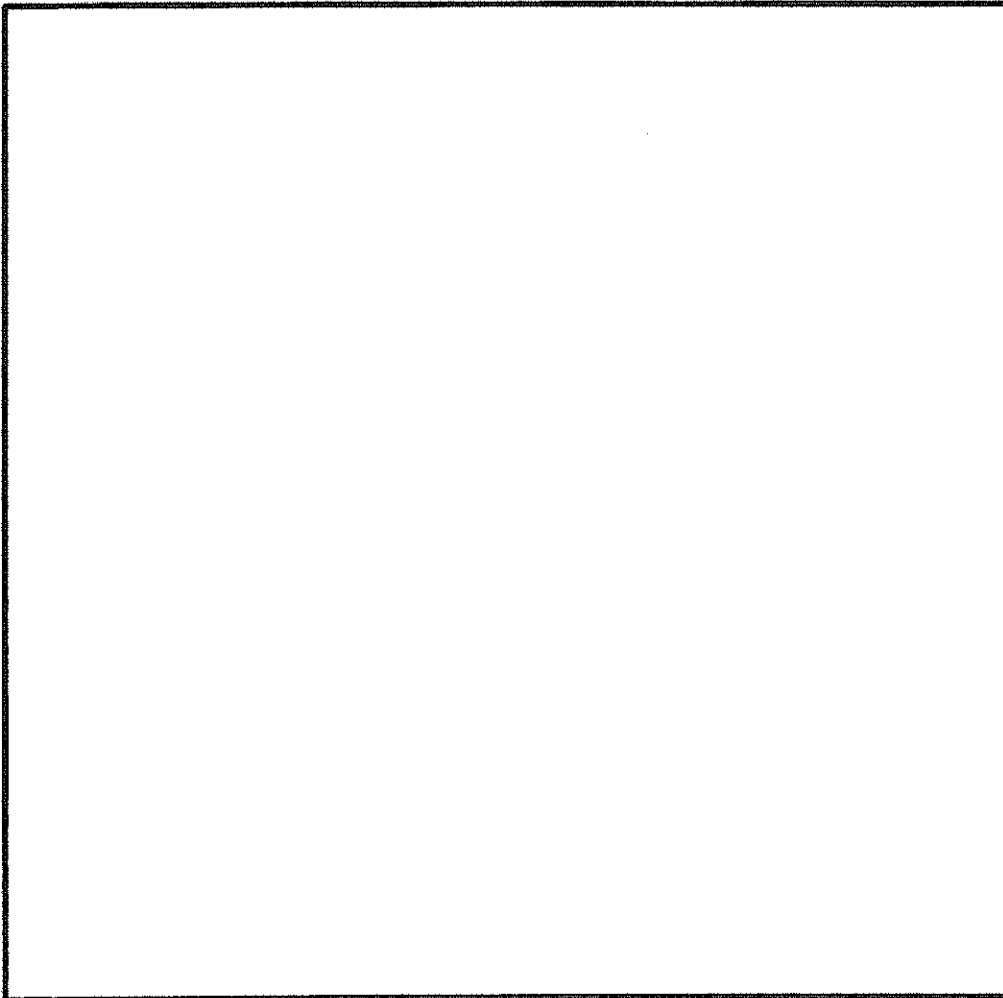
B. Accommodations:

[REDACTED]

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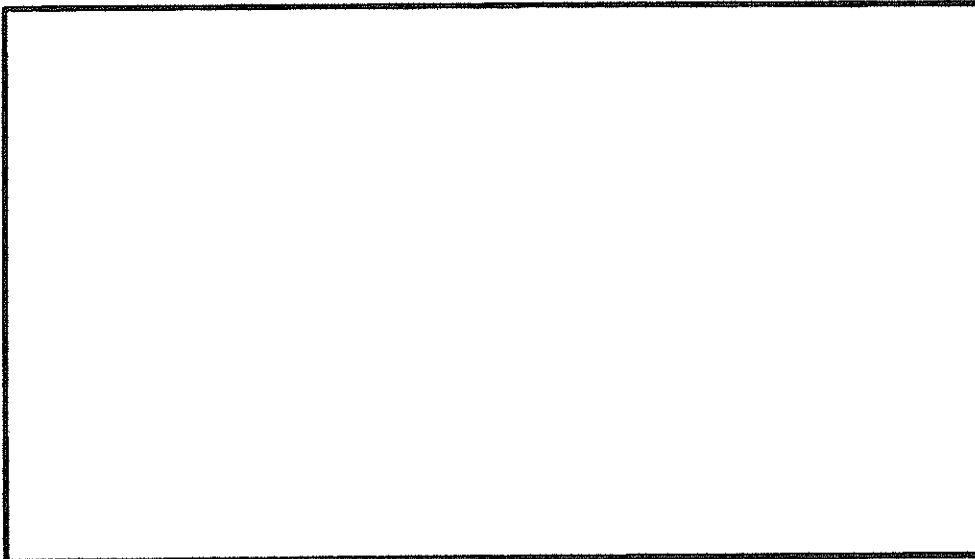


C. Security



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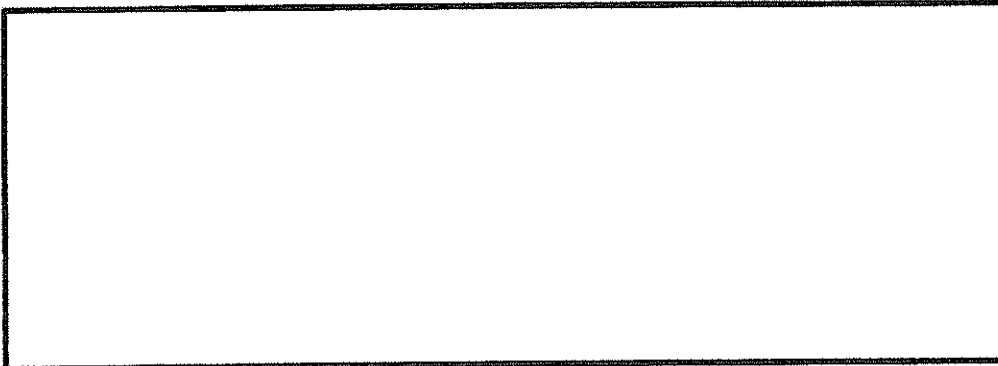
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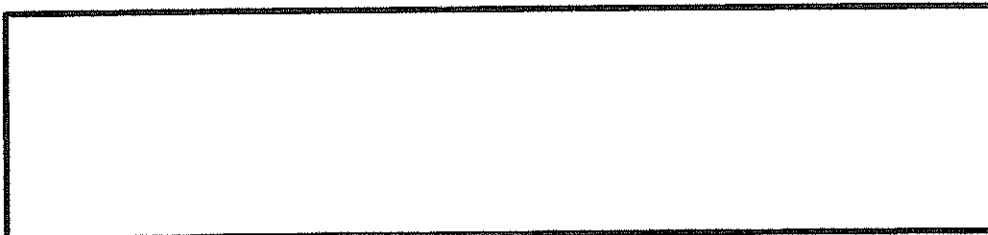
D. Money:

While credit cards are accepted at some hotels in N'djamena, usage is not recommended by the Embassy. ATM machines are NOT readily available. The day before travel, the Embassy indicated that there is an ATM at the airport, that accepts VISA, but neither one of us saw or used it. There is no access to money exchange in Abeche, so all finances need to be worked out prior to leaving N'djamena. There is no money exchange facility at the airport, so, arrangements need to be made for changing any leftover local currency upon return to N'djamena, prior to departure from Chad.

E. Health



F. Transportation:



(b)(7)(f)

G. Food

H. Interpreters:

The Arabic interpreters were okay. This was the first time they have done this type of work, so with more experience, they could improve. They also needed to be reminded on several occasions that they need to keep their personal opinions and emotions to themselves. There were no Mosalit interpreters, which proved to be difficult, as we had to use two interpreters—possibly raising credibility issues, and obviously lengthening the time of the interview.

I. Communications:

Local SIM cards are available for purchase in N'djamena. Credit for the phones can be purchased at the corner store in Abeche.

J. Miscellaneous Matters:

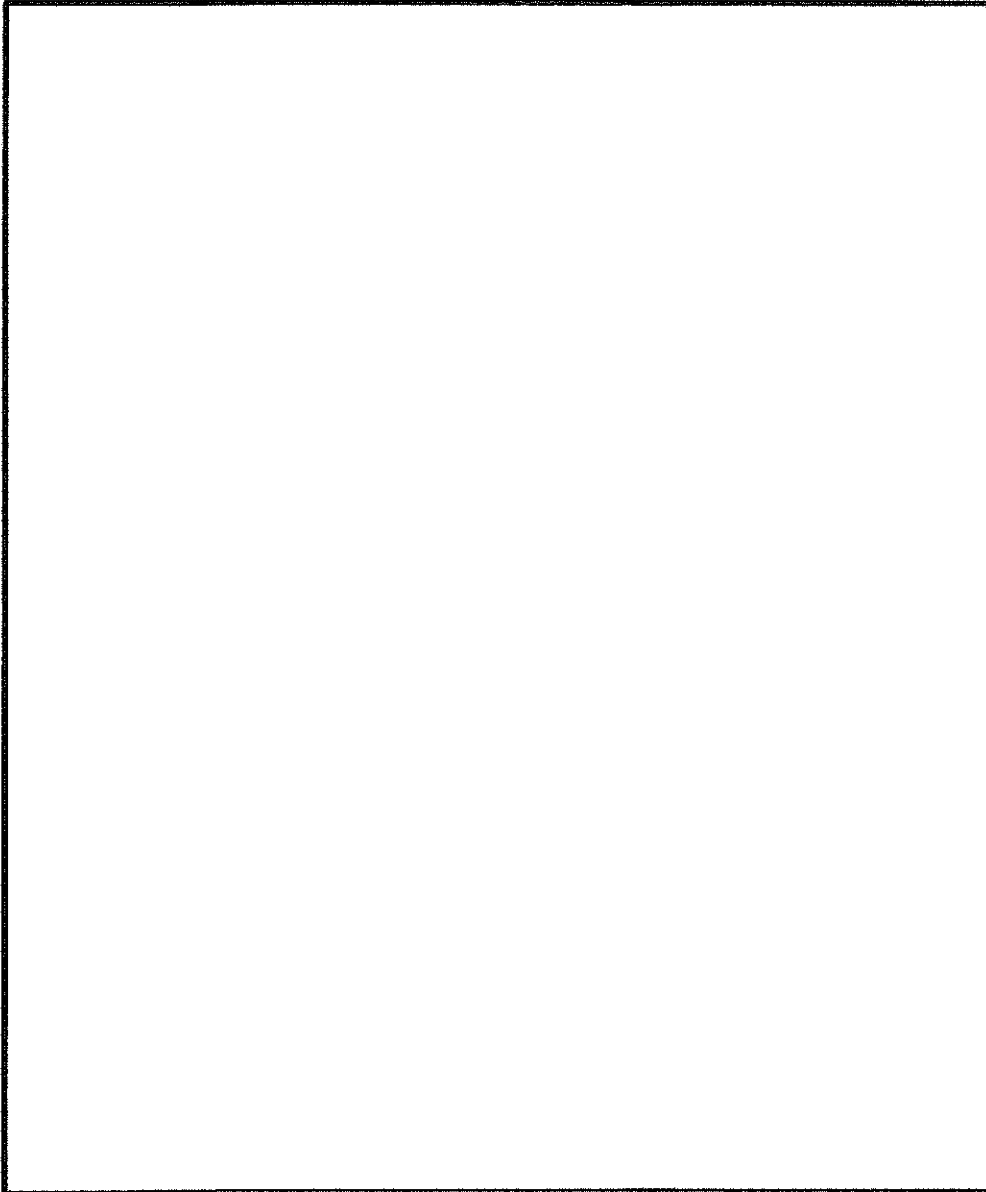
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III. Caseload Issues

A. Description of Case Load:

This caseload was P-1 referrals--Darfuri Sudanese. The majority of them spoke Sudanese Arabic, but some Applicants only spoke Mosalit.

B. Problems or issues with Case Load:



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Additionally, one applicant was detained by Janjaweed and forced to cook, clean, and fetch water for them, until she was able to escape.

No Class Name Checks or SAOs were cleared at time of interview. One applicant cleared while we were on the ground and was approved.

IV. Processing Partners

There was no "final" meeting, although I regularly met with OPE and UNCHR through the circuit ride. Both were most helpful through the entirety. Without their assistance, we would not have been able to complete this Circuit Ride.

V. Conclusion

This Circuit Ride, albeit a pilot project, was very poorly organized and not planned well at all. Logistically and procedurally, it was in no way ready to go forward.

There are quite a lot of issues that need to be resolved prior to sending in DHS teams to process this caseload, in this location.

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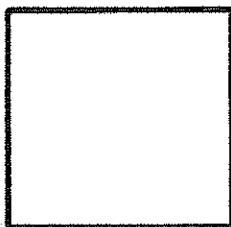
Refugee Processing Trip Report
East Africa – Team 3– DHS/CIS
January 25, 2010 to March 10, 2010

Circuit Ride Basics:

Processing Site: East Africa – Kenya and Djibouti

Team Composition:

Team Leader:
 RAD Officer:
 RAD Officer:
 RAD Officer:
 RAD Officer:
 RAIO Intern:
 Fingerprints:

**Dates of Processing and Holidays (if applicable):**

January 28, 2010 to March 9, 2010 (President's Day Feb 15, 2010)

Travel Days:

January 25 and March 10, 2010

Processing Venue:

Nairobi – Jan 28 and 29
 Djibouti – Feb 2 to Feb 16
 Dadaab – Feb 18 to Mar 4
 Nairobi – Mar 8 and 9

Case Information:**Overall Statistics:**

Scheduled		Approved		Denied		Hold		No Show		Closed	
Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
668	1331	153	187	71	113	419	980	24	50	1	1
100.00%		14.05%		8.49%		73.63%		3.76%		0.08%	

(b)(6)

(b)(7)(e)

Cases Placed on Hold:

	On Hold		TRIG (Waiver)		TRIG (No Waiver)		HQ Hold		Other		Other	
	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
Total #	419	980	2	2	10	20	40	120	367	838		
Percentage	100.00%		0.20%		2.04%		12.24%		85.51%		0.00%	

Cases of interest representing the norm or the unusual in each hold category:

Processing Partners:

A. OPE: Jan 27 and 28 JVA Nairobi Team Leaders - [REDACTED]

These were training days. Coordination was good. JVA was requested to not schedule large cross-referenced cases on training days.

Feb 1 to Feb 17 JVA Djibouti Team Leader [REDACTED]

Except for one Ethiopian refugee interpreter who should not have been working with USCIS because he had a resettlement case, there were no other issues in Djibouti. JVA had the casework well-prepared, and the teams coordinated well together.

Feb 18 to March 5 JVA Dadaab Team Leader [REDACTED]

Recommend JVA be requested to schedule large x-ref cases for full interview days when the officers are expected to complete at least six (6) cases each.

The work proceeded well in Dadaab. The JVA team and our team coordinated well together. JVA assisted with the special fingerprint project on Saturday, Feb 27.

March 8 and March 9 JVA Team Leader [REDACTED]

There were only two (2) processing days in Nairobi prior to departure. The team was fully supported by the JVA TL and her team.

B. UNHCR

In Djibouti, I was able to provide UNHCR a de-briefing of the USCIS processing on Feb 16. Present at the briefing were the senior and two (2) Assistant Protection Officers and the US Embassy Consul General. The Protection Officers said that HCR office has more than doubled in size since 2001, and that the focus is on resettlement because Djibouti is a small country with very limited resources that make local integration almost impossible.

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(b)(7)(e) At Dadaab, I paid a courtesy visit to UNHCR Head of Sub-Office [REDACTED] on Feb 26. I thanked him for HCR support of our mission, and told him that the majority of the cases HCR referred for US Resettlement were recommended for [REDACTED]

I also met with UNHCR/Dadaab Resettlement Officer [REDACTED] on March 2, 2010, for a de-brief on USCIS processing and other issues. I told him most of the Somali "long stayer" cases were recommended for approval, but had to be placed on [REDACTED] I remarked that identity and relationship fraud seem to have diminished substantially from the levels in previous years. He attributed this in part to the DNA Pilot.

C. IOM

[REDACTED] USCIS teams that used to be [REDACTED]
[REDACTED] These functions have been well-documented in previous reports.

D. DOS:

We received a thorough security briefing from RSO at both Nairobi and Djibouti Embassies. I paid a courtesy call to Ambassador Swan in Djibouti to thank him for DOS support of our mission. [REDACTED]

[REDACTED] The Embassy Medical Unit also provided support.

E. Other:

The USCIS Office in Nairobi provided excellent logistical support in every respect. Acting FOD Sonia Gulati gave an excellent briefing on African processing and the caseloads and issues current in the region.

Interpreters:

JVA arranged for interpreters at all processing venues. They were competent overall.

F: Close-out Partners Meeting: None

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(b)(7)(e)

RAD Internal Report

Overseas Communication Folder:

Contains TRIG inadmissibilities spreadsheet

Caseload Issues:

Description of caseload:

The Nairobi caseload was P1 Somali and Ethiopian cases and V92/93 cases. The Djibouti caseload was P1 Eritrean (most cases), Somali, Ethiopian, and two Yemeni cases. The Dadaab caseload was almost completely P1 Somali cases (with a handful of Ethiopian cases).

Trends Observed:

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Suspected Fraud Trends:

--

NBO (Jan 28 & 29, 2010)

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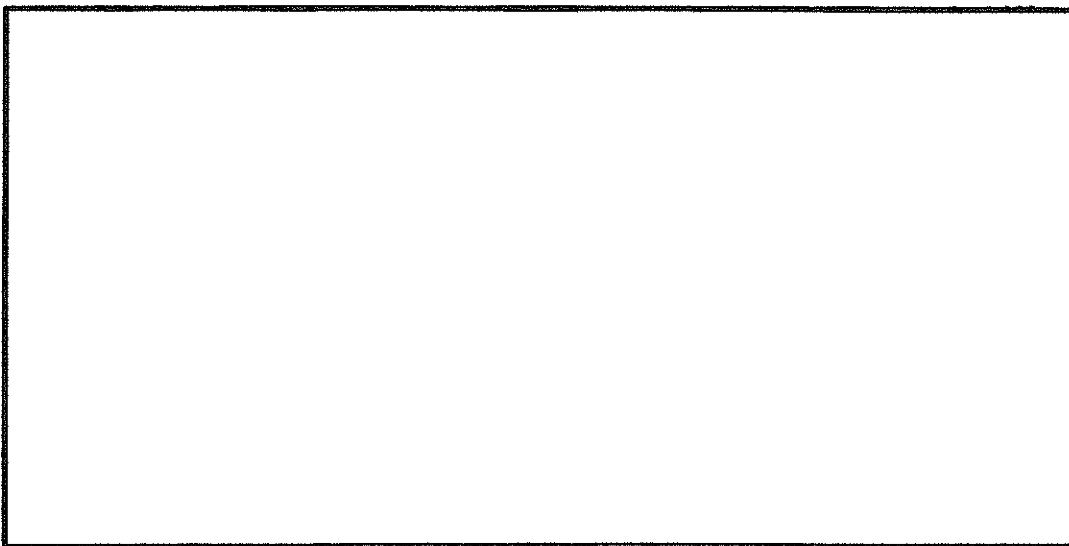
DJIBOUTI (Feb 1 to Feb 16, 2010)

No fraud trends noted.

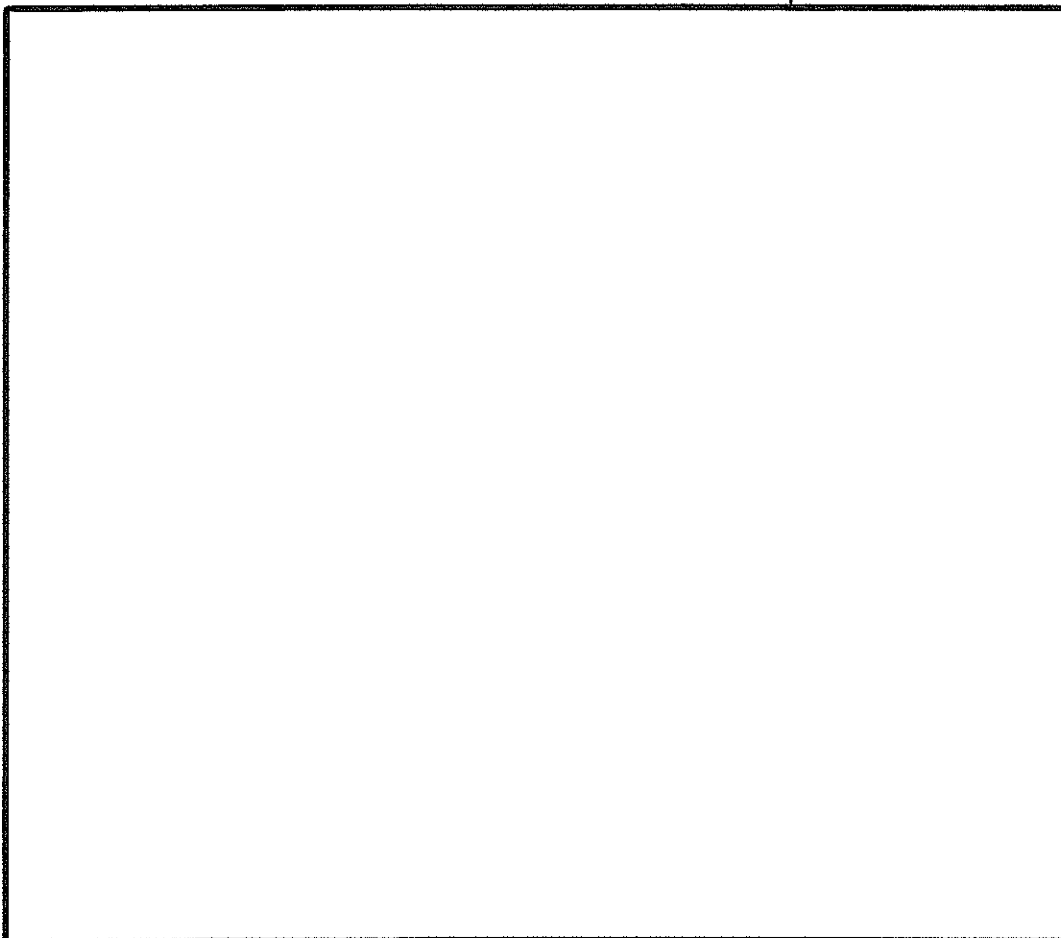
There were a few cases that were re-submitted by HCR with new RRFs that had been previously approved by INS in June 2001, but had been closed during subsequent years. Most were again approved, but there were a couple credibility denials in which the persecution stories changed substantially from when they were first presented in 2001.

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DADAAB (Feb 18 to March 4)



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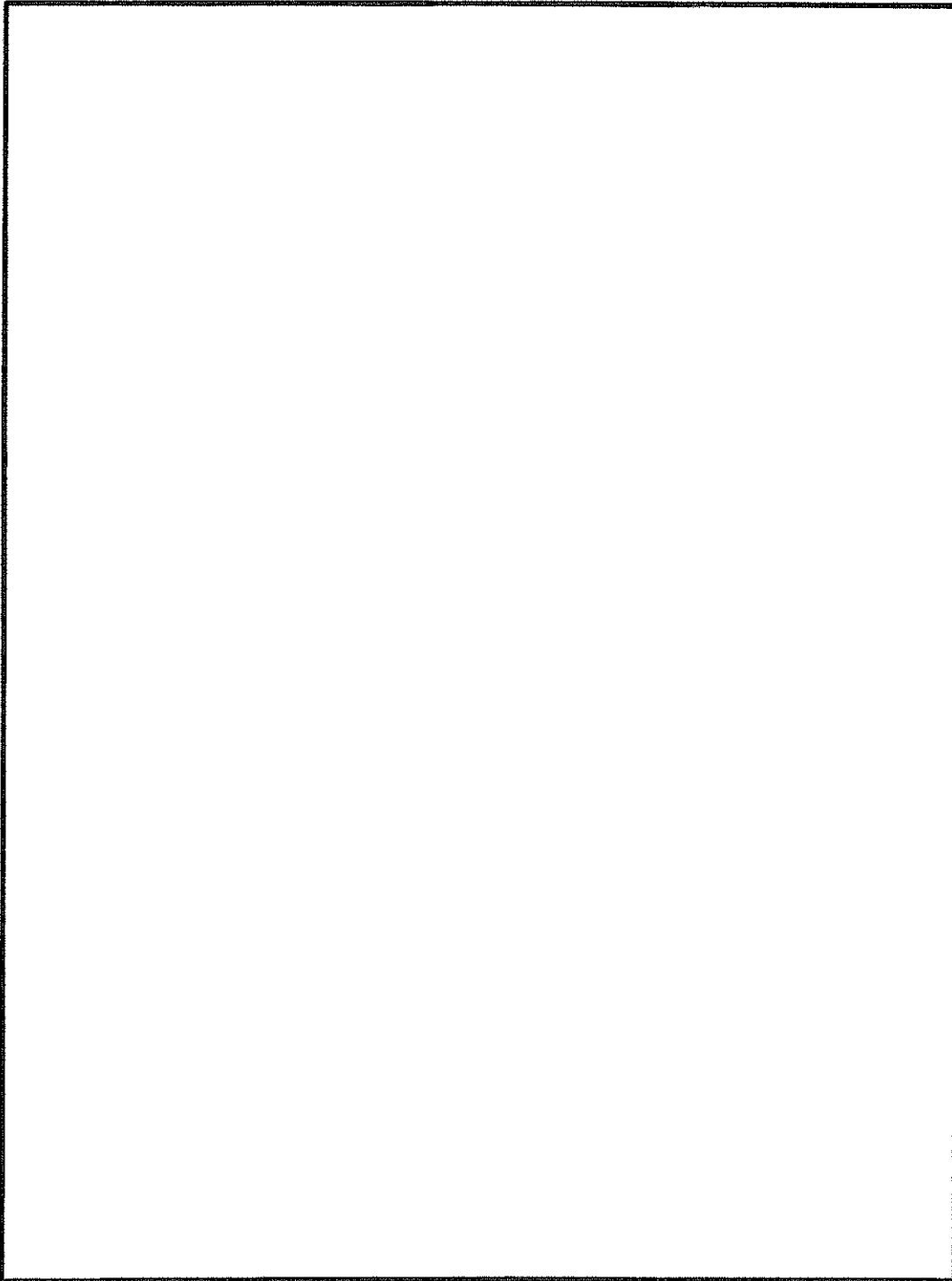
NAIROBI (March 8 & 9)



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Other trends and issues observed during the Circuit Ride:



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Follow-Up Training, Policy, and Research Needs:

Training:

None

Policy Guidance:

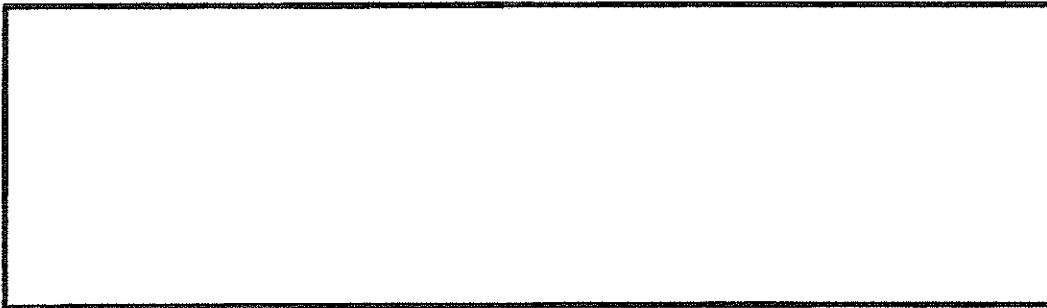
Research (Country Conditions, etc.):

In preparation for this circuit ride, several of the officers found the UK Home Office country conditions papers to be very helpful. They profile the typical claims from refugee source countries, and provide a wealth of information and detail. The recommendation is for RAD to also produce similar profile documents.

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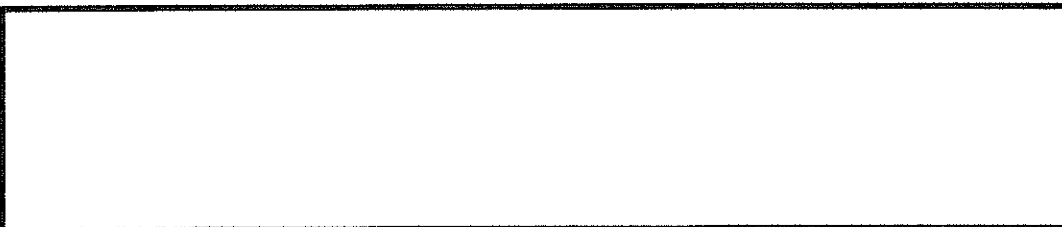
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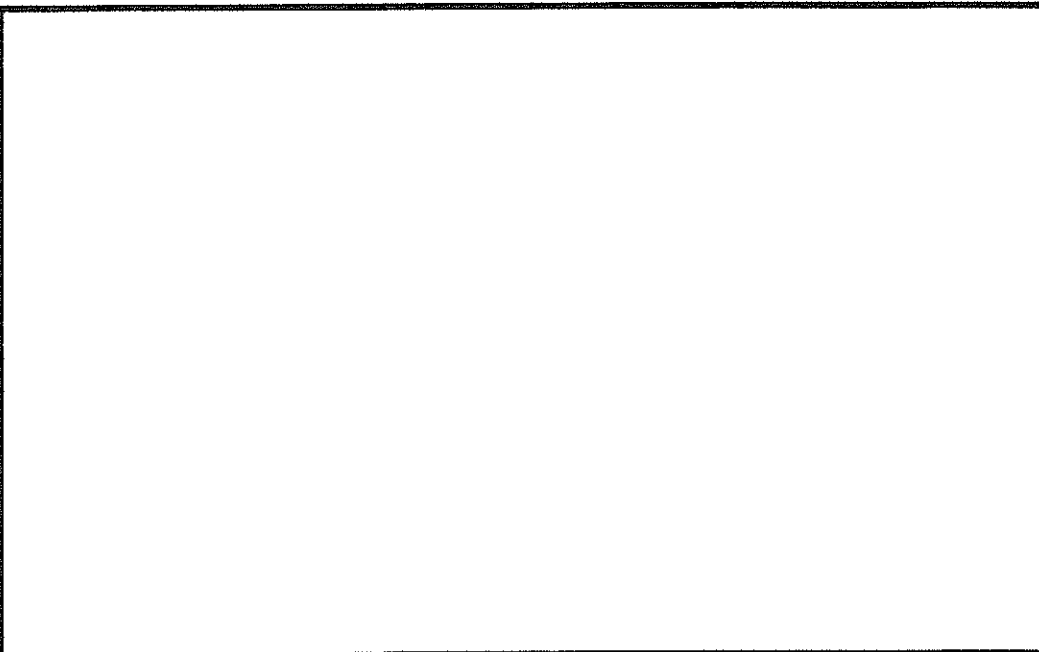
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Logistics:

Travel:

A rectangular box with a black border, completely empty, representing redacted content.

Hotel Accommodations:

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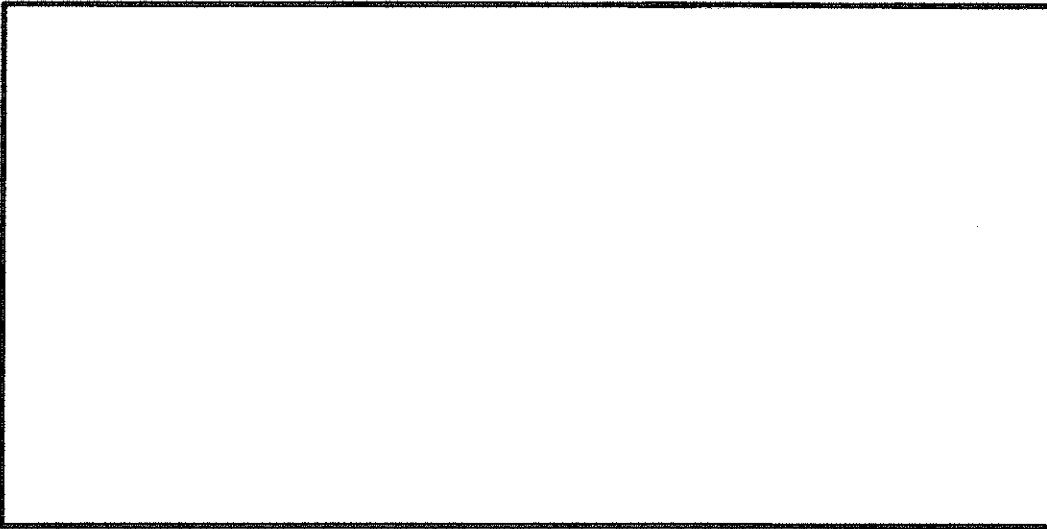
Security – Personal Items/Money:

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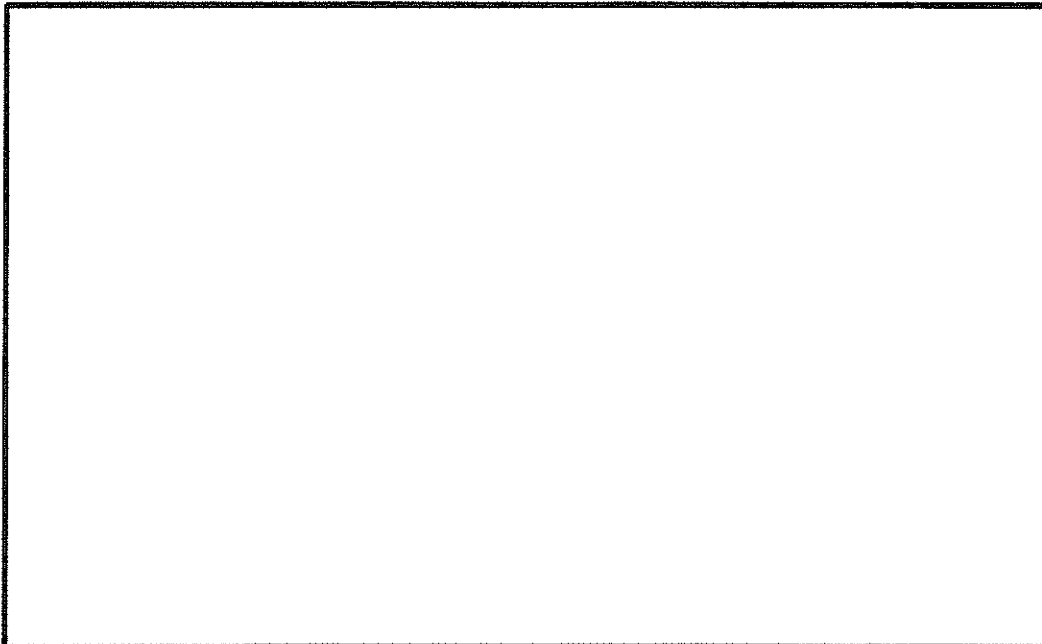
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Work Schedule and Transportation:



Communications:



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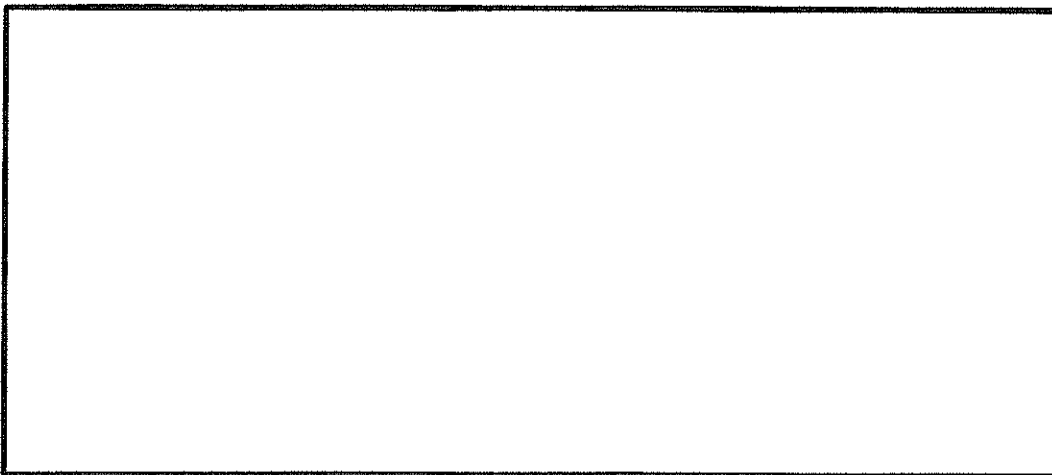
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Miscellaneous Matters:

A. OPE

JVA invariably did a good job completing family trees.

JVA said it would try not to schedule large cross-reference cases for USCIS training days (typically, the first 2-3 days of any new caseload during a circuit ride).



B. CLASS Hits



C. DHS Stamps

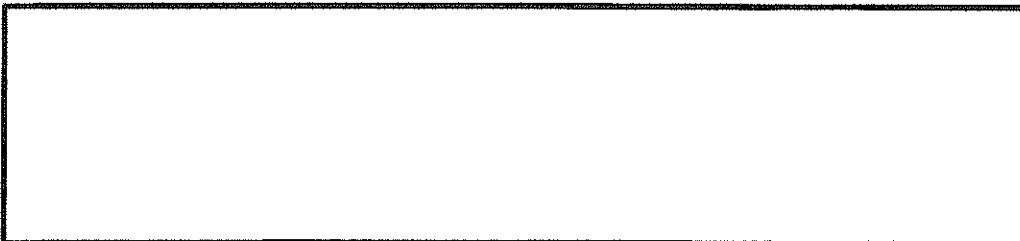
The one Management Intern on the team did not have any stamps. Team Leader used his own for this officer's decisions. RAD Desk Officers should ensure refugee circuit riders from other than RAD programs have stamps prior to departing on circuit rides.

D. Scheduling

It is recommended that RAD consider allowing Team Leaders more flexibility in working local logistics in the field.



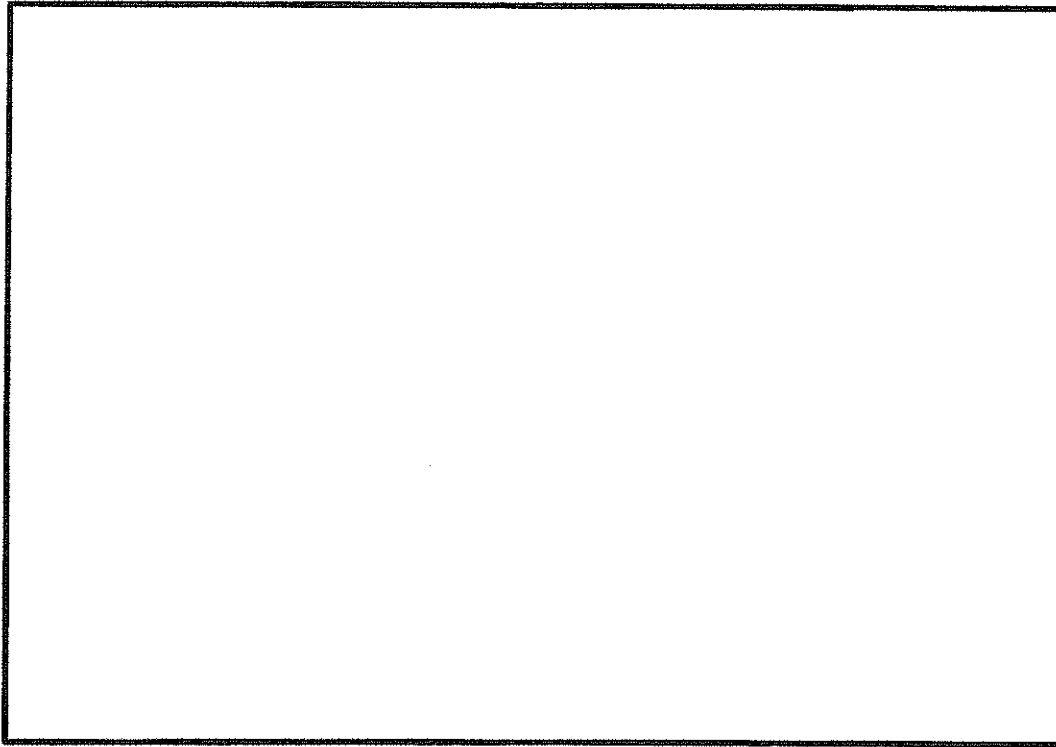
Security/Personnel Issues:



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Trip Report Author: Supervisory Refugee Officer

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Refugee Processing Trip Report
East Africa - Ethiopia
 March 17th, 2011 – April 27, 2011

Circuit Ride Basics:

Processing Site: Nairobi, KE / Axum, ET / Dire Dawa, ET

Team Composition:

--

Dates of Processing:

3/17 – 3/24 Nairobi

3/30 – 4/11 Axum

4/13 – 4/13 Addis

4/15 – 4/28 Dire Dawa

Jun 8 – 15 Nairobi

Travel Days: 3/25, 3/29, 4/12, 4/14, 4/28

Processing Venue:

--

Case Information: Processed multiple BID cases, V-92 & 93's, cleared all available hold lifts, and P-2's

Overall Statistics:

	Scheduled		Approved		Denied		Hold		No Show		Closed	
	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
Total #	778	1389	387	506	10	18	349	809	32	56	0	
Percentage	100.00%		36.43%		1.30%		58.24%		4.03%		0.00%	

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Cases Placed on Hold:

	On Hold		TRIG (Waiver)		TRIG (No Waiver)		HQ Hold		Other		Other	
	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
Total #	349	809	0	0	0	0	12	34	337	775		
Percentage	100.00%		0.00%		0.00%		4.20%		95.80%		0.00%	

Cases of interest representing the norm or the unusual in each hold category: [REDACTED]
 [REDACTED] The rest are pending Class
 and/or SAO checks.

Processing Partners:

- A. OPE: [REDACTED] Deputy Director OPE in Nairobi
 B. UNHCR: N/A
 C. DOS: N/A
 D. Other (e.g., USCIS-IO, ICE Embassy Attaché): [REDACTED] FOD NBO

Interpreters: Interpreters were selected by JVA. The Interpreters were well versed in the English language and appeared to interpret effectively and accurately. No problems with interpreters occurred during this circuit ride.

Close-Out Partners Meeting: No close out meeting with JVA occurred or IOM.

RAD Internal Report**Overseas Communication Folder:****Caseload Issues:****Description of caseload:**

NBO - P1 referrals, Visa 92/93's, Hold lifts
 Axum, ET - P2 Referrals from Eritrea
 Dire Dawa ET - P1 Referrals from Somalia

Trends Observed: BID cases. Cases were traced by ICRC.

Suspected Fraud Trends:

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Cases and type(s) of fraud suspected: See above for trend. Case numbers are ET131073, ET132320, ET132322, ET129175, ET129176, ET130245

Other trends and issues observed during the Circuit Ride: N/A

Follow-Up Training, Policy, and Research Needs:

Training: As stated in previous reports, the current RAD training program appears to be working well. The vast majority of the cases that were returned to officers for correction were due to errors in non-substantive matters such as missing forms, signatures, or annotations. Overall, the cases were well done and the officers demonstrated a thorough knowledge of the information necessary to make legally sufficient decisions.

Policy Guidance: no issues with policy guidance.

Research (Country Conditions, etc.):

Primarily processed Eritreans and Somalis. No issues regarding country conditions or research.

Logistics:

Travel:

Hotel Accommodations:

Security – Personal Items/Money: No issues.

Work Schedule and Transportation: No issues.

Communications: See logistics above

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Miscellaneous Matters: None

Trip Report Author:

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(b)(7)(f)

Refugee Processing Trip Report
Location- DHS/CIS
Dates

Place of Processing: San Jose, Costa Rica; Quito, Ecuador

Team Composition: San Jose, Costa Rica:

Quito, Ecuador:

 Team Leader, Mentor)

Dates of Processing: San Jose, Costa Rica – 12/5/08 to 12/11/08
 Quito, Ecuador – 12/15/08 to 12/18/08

Travel Days: 12/4/08 [redacted] to San Jose, Costa Rica via Miami
 12/11/08 – [redacted] return to Washington, DC
 12/12/08 – [redacted] from San Jose to Bogota, Colombia, short layover,
 then to Quito, Ecuador
 12/14/08 [redacted] from Washington DC to Quito, Ecuador, via Miami
 12/19/08 [redacted] from Quito to Washington DC via Miami

Processing Venue: [redacted]

Overall Statistics:

San Jose, Costa Rica:

	Scheduled Cases	Approved Cases/Indiv.	Denied Cases/Indiv.	HOLD Cases/Indiv.	Closed Cases/Indiv.	No Show
Total Number	15	7/16	4/7	4/5	0	0
Percentage	100	46	27	27	0	0

Number of cases by priority:

P1: 15

P2: 0

P3: 0

Visas 92/93: 0

Cases Placed on Hold: 4

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Quito, Ecuador:

	Scheduled Cases	Approved Cases/Indiv.	Denied Cases/Indiv.	HOLD Cases/Indiv.	Closed Cases/Indiv.	No Show
Total Number	15	7/11	5/10	0	0	3*
Percentage	100	47	33	0	0	20*

* One case involved a minor niece of the principal applicant and required a UNHCR BID before an interview could be conducted. Although UNHCR completed the BID on the last day of interviews, there was not sufficient time to conduct the interview on the last day.

Number of cases by priority:

P1: 15

P2: 0

P3: 0

Visas 92/93: 0

Cases Placed on Hold: 0

I. Processing PartnersOPEIOM Costa Rica - IOM Ecuador - ***II. Logistics***A. Travel

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(b)(7)(f)

[Redacted]

B. Hotel Accommodations

Costa Rica - [Redacted]

Ecuador - [Redacted]

C. Security – Personal Items/Money

[Redacted]

D. Work Schedule and Transportation

[Redacted]

E. Interpreters

[Redacted]

[Redacted] No issues or concerns.

F. Communications

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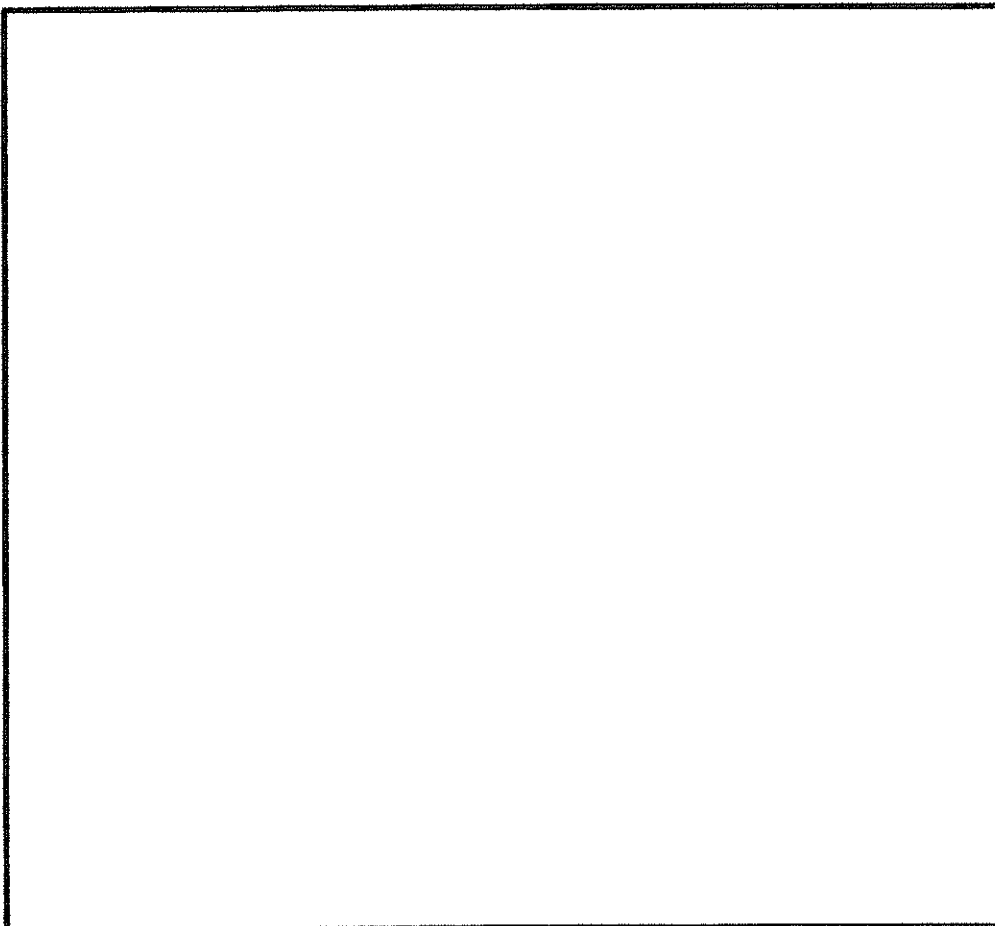
G. Miscellaneous Matters

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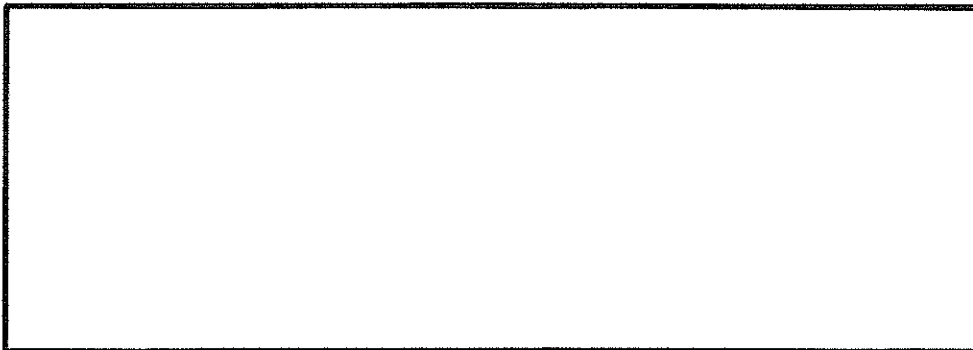
III. Caseload Issues

A. Description of Case Load

Costa Rica:

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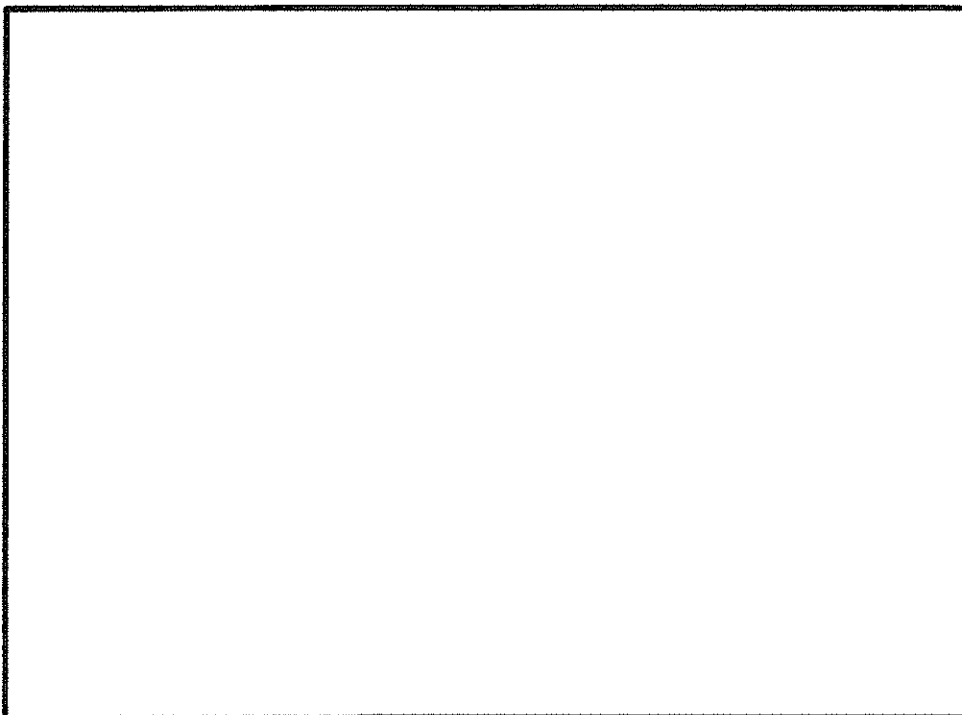
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Ecuador:

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B. Problems or issues with Case Load/Trends Observed

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IV. Other Issues

A. Family Trees

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No issues

B. CLASS Hits

Three CLASS hits were encountered.

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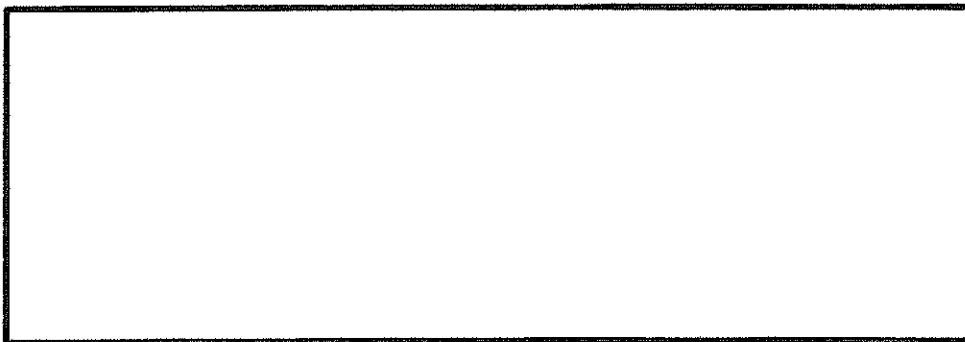
C. RAVU Envelopes

N/A

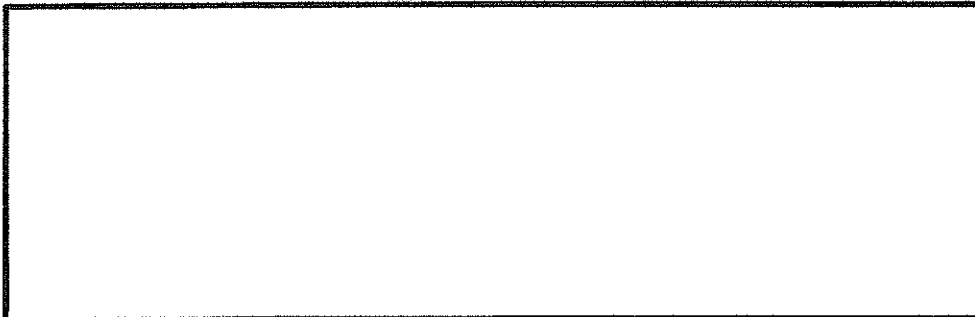
D. DHS Stamps

I was the only officer with an approval stamp, as the other officers were new to RAD and had not yet been assigned their stamps.

E. Scheduling

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V. Close-Out Partners Meeting

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 /DHS Team Leader/Mentor

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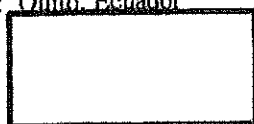
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**Refugee Processing Trip Report
DHS / USCIS**

Place of Processing: Quito, Ecuador
San Jose, Costa Rica

Team Composition: Quito, Ecuador



Team leader / Mentor
Refugee Officer
Case Officer

Dates of Processing: Quito, Ecuador: 05/19/2009 – 06/01/2009
San Jose, Costa Rica: 06/04/2009 – 06/08/2009

Travel Days:



to Quito, Ecuador via Miami - 05/18/2009
to Miami via Guayaquil, Ecuador and San Jose,
Costa Rica - 06/02/2009



to Costa Rica via Miami - 06/03/2009
to Washington, DC via Miami - 06/09/2009



to Quito, Ecuador via Miami - 05/18/2009
to Washington, DC via Miami - 05/23/2009



to Quito, Ecuador via Miami - 05/18/2009
to Washington, DC via Miami - 05/23/2009

Processing Venue:



Case Statistics:

Quito, Ecuador:

	Scheduled Cases	Approved Cases/Indiv.	Denied Cases/Indiv.	HOLD Cases/Indiv.	Closed Cases/Indiv.	No Show
Total Number	32	14/31	17/27	1/3	0	0
Percentage	100	43.75%	53.13%	3.12%	0	0

Number of cases by priority: All Cases presented were P1

(b)(6)

(b)(7)(f)

San Jose, Costa Rica:

	Scheduled Cases	Approved Cases/Indiv.	Denied Cases/Indiv.	HOLD Cases/Indiv.	Closed Cases/Indiv.	No Show/Indiv.
Total Number	10	2/3	7/12	0/0	1/1	0/0
Percentage	100	20.0%	70.0%		10.0%	

Number of cases by priority: All cases presented were P1

Closed: Colombian national stated during his interview that he had in fact been dishonest and his persecution claim was in fact not true. The applicant had a pending I-130 application based on a family member petition. Applicant was given the opportunity to withdraw his refugee claim. Applicant decided to withdraw his refugee claim. Applicant completed the withdrawal request.

Processing Partners:

IOM Ecuador -
IOM Costa Rica -

Hotel Accommodations:

Ecuador
Costa Rica

Security:

No security issues

Work Schedule:

Ecuador 0800 - 1630
Costa Rica 0800 - 1630

Transportation:

Interpreter: No interpreters were used in Quito, Ecuador or San Jose, Costa Rica

Communications:

(b)(7)(e)

(b)(7)(f)

Description of Case Load:

Problems or issues with Case Load/Trends Observed:

Family Trees: No issues

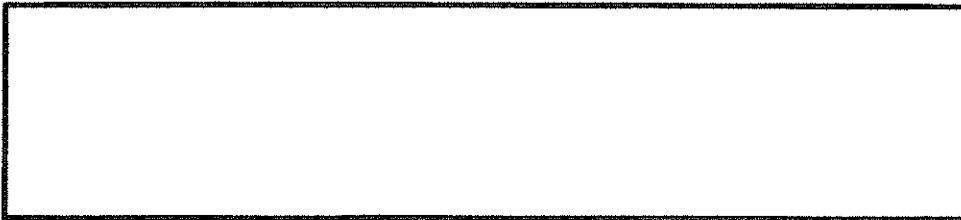
RAVU Envelopes: N/A

Scheduling: Due to the flight delay from Quito, Ecuador to San Jose, Costa Rica - the interviews in Costa Rica had to be rescheduled. IOM was able to reschedule the cases without problems.

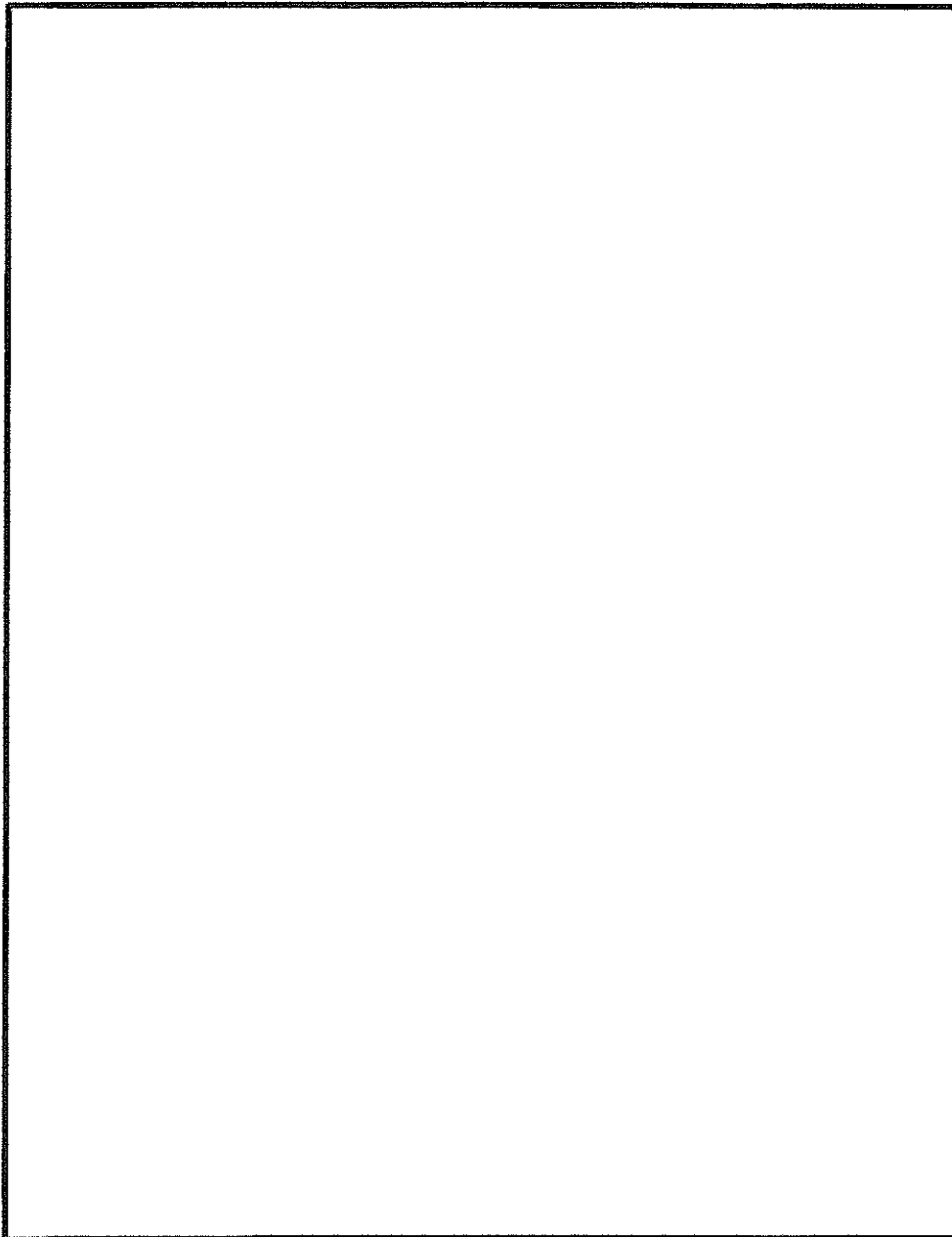
Close-Out Partners Meeting:

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Description of cases that were denied in Quito, Ecuador:



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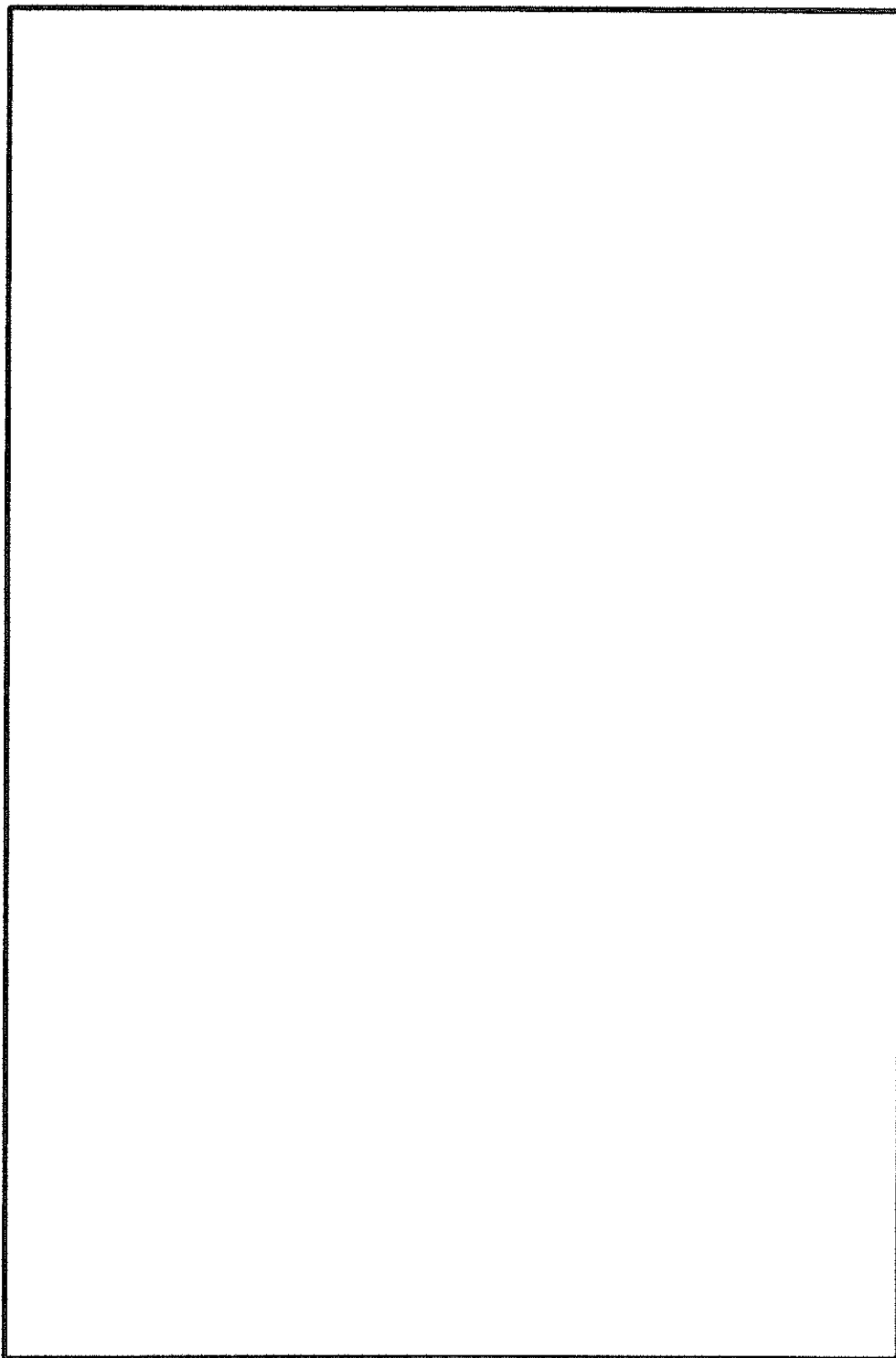
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Description of cases that were denied in San Jose, Costa Rica:



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Costa Rica/Ecuador/Colombia Trip Report
June-July 2010
P. Lujan
1**Refugee Processing Trip Report
Costa Rica, Ecuador & Colombia
June 14 - July 3, 2010****Circuit Ride Basics:****Processing Site:** San Jose, Costa Rica
Quito, Ecuador
Bogota, Colombia**Team Composition:** [redacted] RAD HQ
[redacted] (Ecuador only), RO**Dates of Processing and Holidays (if applicable):**June 14 – 23, 2010 San Jose, Costa Rica
June 23 – 30, 2010 Quito, Ecuador
June 30 – July 3, 2010 Bogota, Colombia**Travel Days:** June 14, 2010 [redacted] departs D.C. to San Jose, Costa Rica
June 23, 2010 [redacted] departs Costa Rica to Quito, Ecuador
[redacted] departs D.C. to Quito, Ecuador
June 30, 2010 [redacted] departs Ecuador to Bogota, Colombia
[redacted] departs Quito to Guayaquil, Ecuador (annual leave)
July 2, 2010 [redacted] returns to Miami
July 3, 2010 [redacted] returns to D.C.**Processing Venue:** [redacted]**Case Information:****Overall Statistics:**

San Jose, Costa Rica

Scheduled		Approved		Denied		Hold		No Show		Closed	
Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
24*	48	15	33	5	10	3	5	0	0	0	0
100.00%		68.75%		20.83%		10.42%		0.00%		0.00%	

* Note: 22 cases originally scheduled – 2 new cases created from split-off of 2 existing cases due to determination that Honduran common law marriages were not recognized for U.S. immigration purposes.

(b)(6).

Costa Rica/Ecuador/Colombia Trip Report
June-July 2010
P. Lujan

2

(b)(7)(e)

Quito, Ecuador

	Scheduled		Approved		Denied		Hold		No Show		Closed	
	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
Total #	24	48	10	21	7	10	5	11	2	6	0	0
Percentage	100.00%		43.75%		20.83%		22.92%		12.50%		0.00%	

Bogota, Colombia

	Scheduled		Approved		Denied		Hold		No Show		Closed	
	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
Total #	6	14	3	5	0	0	3	9	0	0	0	0
Percentage	100.00%		35.71%		0.00%		64.29%		0.00%		0.00%	

TOTALS for Costa Rica, Ecuador and Colombia:

Scheduled		Approved		Denied		Hold		No Show		Closed	
Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
54	110	28	59	13	20	11	25	2	6	0	0
100.00%		53.64%		18.18%		22.73%		5.45%		0.00%	

Cases Placed on Hold:

	On Hold		TRIG (Waiver)		TRIG (No Waiver)		HQ Hold		Other		Other	
	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People	Cases	People
Total #	11	25	7	14	1	3	1	3	1	3		
Percentage	92.00%		56.00%		12.00%		12.00%		12.00%		0.00%	

Cases of interest representing the norm or the unusual in each hold category:

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Costa Rica/Ecuador/Colombia Trip Report
June-July 2010
P. Lujan
3

Processing Partners:

A. OPE: IOM Costa Rica –
IOM Ecuador –
IOM Colombia –

B. UNHCR: Durable Solutions Officer, San Jose
 Resettlement Officer, Quito
 Assistant Resettlement Officer, Quito

C. DOS: Embassy Bogota Refugee Coordinator

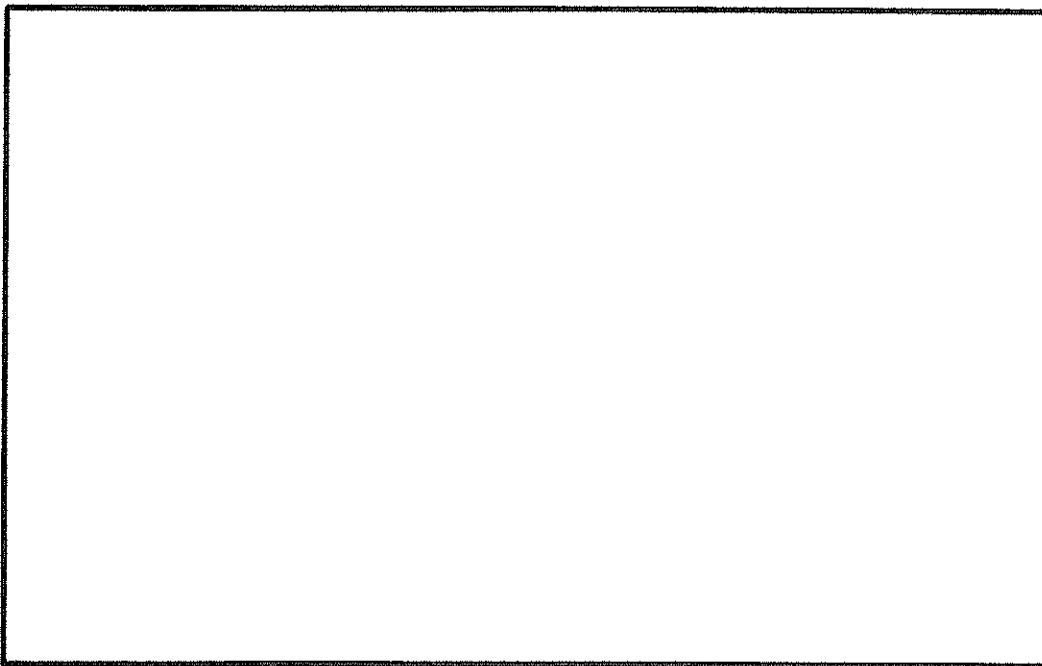
Close-Out Partners Meeting:

The meetings were held at the IOM offices on the last day of the San Jose and Quito circuit rides, in order to discuss the cases in terms of the sufficiency of the RRFs and the types of cases referred, cases that were deferred, as well as any problems or unique issues encountered by the interviewing officer(s) and recommendations for improving the quality of RRFs.

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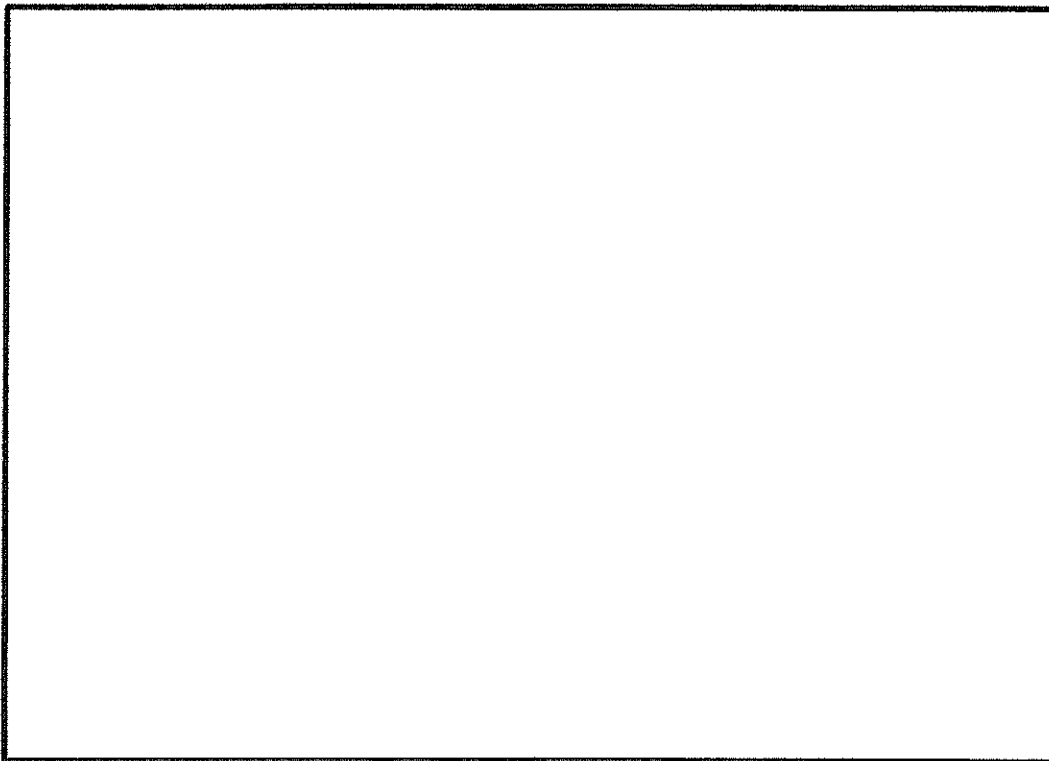
Costa Rica/Ecuador/Colombia Trip Report
June-July 2010
P. Lujan

4



RAD Internal Report

Caseload Issues:



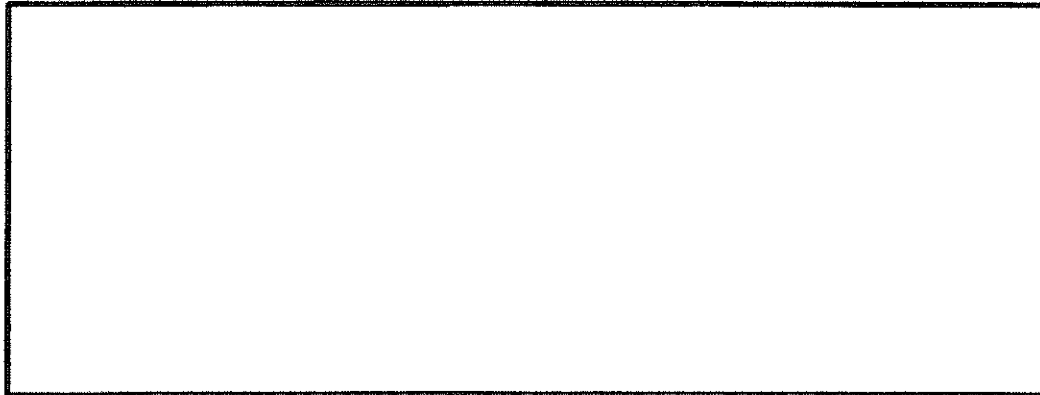
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Costa Rica/Ecuador/Colombia Trip Report
June-July 2010

5

**CLASS/SAO:**

[redacted] are on hold for SAO clearance.

Description of cases that were denied in Costa Rica:

**Note: PA stands for principal applicant.*

[redacted]
PA was granted refugee status in Costa Rica. He failed to establish that he was not firmly resettled in Costa Rica. PA failed to establish that any harm he suffered in Costa Rica was on account of a protected characteristic.

[redacted]
PA was granted refugee status in Costa Rica. She failed to establish that she was not firmly resettled in Costa Rica. PA failed to establish that any harm she suffered or feared in Costa Rica was on account of a protected characteristic.

[redacted]
PA was granted refugee status in Costa Rica. She failed to establish that she was not firmly resettled in Costa Rica. PA failed to establish that any harm she suffered or feared in Costa Rica was on account of a protected characteristic.

[redacted]
PA failed to establish that she was a refugee as defined in INA Section 101(a)(42). Applicant did not suffer harm on account of a protected characteristic. PA failed to establish that any harm she suffered or feared in Colombia was on account of a protected characteristic.

[redacted]
PA was granted refugee status in Costa Rica. She failed to establish that she was not firmly resettled in Costa Rica. PA failed to establish that she was a refugee as defined in INA Section 101(a)(42). PA failed to establish that any harm she suffered or feared in Colombia was on account of a protected characteristic.

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(b)(7)(e)

Costa Rica/Ecuador/Columbia Trip Report
Aug. July 2010

[REDACTED]

[REDACTED]
Applicant was found inadmissible pursuant to INA 212(a)(6)(A)(1), as an alien who was present in the United States without admission or parole. PA filed a request to waive her inadmissibility. This request to waive the inadmissibility was approved by USCIS, and the PA's refugee application was thereafter approved.

Description of cases that were denied in Ecuador:

[REDACTED]
PA was granted refugee status in Costa Rica. He failed to establish that he was not firmly resettled in Costa Rica. PA failed to establish that any harm he suffered in Costa Rica was on account of a protected characteristic.

[REDACTED]
PA was granted refugee status in Costa Rica. She failed to establish that she was not firmly resettled in Costa Rica. PA's testimony was found to lack credibility with regard to material elements.

[REDACTED]
PA was granted refugee status in Costa Rica. He failed to establish that he was not firmly resettled in Costa Rica. PA's testimony was found to lack credibility with regard to material elements.

[REDACTED]
PA's testimony was found to lack credibility with regard to material elements.

[REDACTED]
PA's testimony was found to lack credibility with regard to material elements.

[REDACTED]
PA's testimony was found to lack credibility with regard to material elements.

[REDACTED]
PA's testimony was found to lack credibility with regard to material elements

Logistics:

[REDACTED]

Work Schedule and Transportation:

[REDACTED]

(b)(6).

(b)(7)(f)

Costa Rica/Ecuador/Colombia Trip Report
June-July 2006

Hotel Accommodations:

Costa Rica -
Ecuador -
Bogota -

Security – Personal Items/Money:

Communications:

Trip Report Author:

Exhibit B

Exhibit B

From: Viker, Elliot [elliot.viker1@dhs.gov]
Sent: Monday, August 15, 2011 11:48 AM
To: Malinsky, Jason; 'Viker, Elliot'
Cc: Oliver, L. Scott; 'Becca Heller'; 'Stephen Poellot'
Subject: RE: IRAP USCIS FOIA Request - Follow Up From August 12th Conference Call
Follow Up Flag: Follow up
Flag Status: Red
Good afternoon Mr. Malinsky:

Thank you for your communiqué and phone call on 08/15/2011. We are presently moving forward with your access request.

Should you have any questions or concerns please do not hesitate to contact myself of this office.

Cordially,

Elliot Viker
Paralegal Specialist/Detailed FOIA Operations
DHS/USCIS/Enterprise Services Directorate/NRC
(816) 350 5500 ext. 5207
Elliot.Viker@uscis.dhs.gov

Si a jure discedas vagus eris, et erunt omnia omnibus incerta.

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From: Malinsky, Jason [mailto:JMalinsky@mofo.com]
Sent: Monday, August 15, 2011 1:02 PM
To: Viker, Elliot
Cc: Oliver, L. Scott; Becca Heller; Stephen Poellot
Subject: RE: IRAP USCIS FOIA Request - Follow Up From August 12th Conference Call

Eliot,

Please note the error in the email below under the "Time Limitation". It should read: "Our request is limited to documents and information from January 1, **2001** through present day." 2011 was a typo.

My apologies for the error.

Jason

From: Malinsky, Jason
Sent: Monday, August 15, 2011 10:55 AM
To: 'Viker, Elliot'
Cc: Oliver, L. Scott; 'Becca Heller'; Stephen Poellot
Subject: IRAP USCIS FOIA Request - Follow Up From August 12th Conference Call

Eliot,

Thank you for taking the time to organize Friday's productive meeting to discuss our FOIA request.

Upon conferring with you, Joanna Ruppel, Stacy Strong, Richard French, and Roger Andoh, and taking into consideration USCIS's concerns about the volume of documents, we have agreed to limit the scope of our request. After being informed by USCIS that our request could encompass nearly 500,000 documents and include forms addressing matters unrelated to refugees, we agreed to limit the scope of forms included in our request to: I-590s; all refugee Requests for Review; and I-602s. As expressed on the conference call, we are open to the idea of further limiting our request. Without knowing what documents USCIS has, or the contents of those documents, we are unable to further limit our request at this time. We have agreed, however, that USCIS will initially produce a sample of documents for our review that will allow us to make an informed decision about further limiting our request's scope.

Time Limitation. Our request is limited to documents and information from January 1, 2011 through present day.

USCIS Refugee Reports. USCIS agreed to provide us with a list of the types of reports within the scope of our request as well as a short description of the data contained within those reports. USCIS representatives mentioned that the list of these reports includes, but is not limited to:

- Trend reports;
- Aging readiness reports;
- Case trend reports;
- Workload reports;
- Processing time reports; and
- Pending cases reports.

In addition to the list of reports and short description of their contents, USCIS will produce samples of each of the above-described reports, as well as any other reports that are not explicitly named above but that are reasonably determined to fall within the scope of our request. Following our review of the list and sample reports, we will communicate to USCIS which reports we want them to produce.

Joanna Ruppel stated that the above-described sample reports, and the post-August 2010 data reports described below, could be gathered early this week. The FOIA office will then review these reports before producing them to us as soon as possible.

August 2010 to Present Day USCIS Data. USCIS described its post-August 2010 data as being compiled in a more organized manner than pre-August 2010 data. Thus, USCIS will produce sample monthly, quarterly, and other reports compiling this data so that we may determine which reports best address our request. Following our review, we will communicate to USCIS which reports we want them to produce.

Circuit Rider Trip Reports. Our request also encompasses what Stacy Strong described as Circuit Rider "Trip Reports". USCIS will produce examples of these reports for each year, and from each region, from each of the past ten years. Stacy stated that she expects to be able to gather all these reports by the end of this week. The FOIA office will then review these reports before producing them to us as soon as possible.

Quality Assurance ("QA") Program Reviews. We stated on the call that we needed time to review the Ombudsman's report attached to our request and would respond to USCIS with more detail on what our request encompasses. We have since reviewed the Ombudsman's report. We request USCIS to produce any conclusions, assessment, or analysis of the results of these QA programs concerning notice of a potentially adverse decision given to refugees orally during their interview *and* written notice of an actual adverse decision given after the conclusion of their interview.

Thank you again for your time and effort in responding to our FOIA request. Please do not hesitate to contact me should any further questions arise related to our request.

Regards,

Jason

Attorney for the Iraqi Refugee Assistance Project

Jason A. Malinsky

Morrison & Foerster LLP

425 Market Street | San Francisco, California 94105

415.268.6709 | JMalinsky@mofo.com

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Exhibit C

Exhibit C

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BEIJING, SHANGHAI, HONG KONG

July 15, 2011

Writer's Direct Contact
415.268.6709
JMalinsky@mofo.com

By Email & Mail

Jill A. Eggleston
Director, FOIA Operations
U.S. Citizenship and Immigration Services
National Records Center, FOIA/PA Office
P. O. Box 648010
Lee's Summit, MO 64064-8010

Re: Freedom of Information Act Request

Dear Ms. Eggleston:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of:

- All statistics on overseas adjudications, including Requests for Review/Reconsideration, from the Overseas Tracking System from 2003 to present day, including, but not limited to:
 - Data on decisions (e.g. grant v. denial rates) broken down by circuit ride leader, circuit ride, office, district, *and* individual officer;
 - Each applicant's country of origin;
 - The ultimate determination (e.g. re-interview v. reversal; grant v. deny); and
- All records discussing or analyzing the above-mentioned statistics, including, but not limited to internal memoranda, reports, and emails;
- The U.S. Citizenship and Immigration Services ("USCIS") quality assurance program review "of a statistically valid sample of refugee cases" conducted in Fiscal Year 2009 as described in Alejandro N. Mayorkas's July 31, 2010, memorandum to January Contreras, a copy of which is attached;
- All post-2001 USCIS data on overseas adjudications, including all available data prior to the introduction of the case management system.

I would like to receive the information in electronic format.

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Jill A. Eggleston
July 15, 2011
Page Two

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, reading "Jason A. Malinsky". The signature is written in a cursive, flowing style.

Jason A. Malinsky

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of the Director (MS 2000)
Washington, DC 20529-2000



U.S. Citizenship
and Immigration
Services

JUL 31 2010

Memorandum

TO: January Contreras
Citizenship and Immigration Services Ombudsman

FROM: Alejandro N. Mayorkas
Director

SUBJECT: Response to Recommendation 44, Emergent or Denied Refugee Applications:
Expediting Cases, Articulating Reasons for Denial, and Issuing Guidance for
Requests for Reconsideration

Executive Summary

USCIS appreciates the thoughtful review of the U.S. Refugee Admissions Program (USRAP) conducted by the CIS Ombudsman's Office. We welcome the opportunity to engage with our governmental and nongovernmental partners and stakeholders to improve the USRAP as a whole and enhance our ability to serve refugee applicants worldwide. USCIS believes that the recommendations outlined in the report seek to achieve this goal as well as the overall mission of USCIS to process immigration benefits with efficiency, transparency, and integrity. The following provides a brief summary of each recommendation and the USCIS response. Minor technical corrections can be found in Appendix A.

Recommendation 1: Present on the USCIS website and to stakeholder groups the criteria by which it expedites certain emergent refugee cases and how to access that process.

USCIS Response: USCIS concurs with this recommendation and has already begun working with the Department of State (DOS) to implement it.

Recommendation 2a: Identify with particularity potentially adverse determinations arising during the interview to enable the applicant to address, at that time, any potential grounds for denial.

USCIS Response: USCIS partially concurs with this recommendation.

Recommendation 2b: Articulate in the "Notice of Ineligibility for Resettlement" clear and case-specific information regarding the grounds for denial.

USCIS Response: USCIS partially concurs with this recommendation.

Recommendation 3a: Provide a tip sheet on relevant supporting documents with the "Notice of Ineligibility for Resettlement" outlining the information applicants could include.

Response to Recommendation 44
Page 2

USCIS Response: USCIS concurs with this recommendation and has already begun working with the DOS to implement it.

Recommendation 3b: Publish mailing address(es) for "Requests for Reconsideration."

USCIS Response: USCIS concurs with this recommendation and has already begun working with the DOS to implement it.

Recommendation 4: Acknowledge receipt of each "Request for Reconsideration" submitted.

USCIS Response: USCIS concurs with this recommendation and will develop a mechanism to implement it.

USCIS Response to Recommendations

Although the Ombudsman's report focuses primarily on refugee applicants from Iraq, USCIS has considered each recommendation in the context of the USRAP as a whole, a program that admitted more than 74,000 refugees representing 69 nations last fiscal year.

1. Present on the USCIS website and to stakeholder groups the criteria by which it expedites certain emergent refugee cases and how to access that process.

USCIS Response: USCIS concurs with the Ombudsman's recommendation and will update our website to provide information to the public on how to request expedited processing for a pending refugee case. USCIS has already contacted our program partners to begin developing the necessary information, which will advise refugee applicants seeking to have their case expedited to contact either (1) the United Nations High Commissioner for Refugees (UNHCR), if they have not yet received a referral to the USRAP, or (2) the Overseas Processing Entity (OPE), if their case has already been referred to the USRAP for resettlement consideration. The OPE is in the best position to assess which program partner has the ability and authority to expedite a given case and to contact that partner, depending on which steps in the process remain outstanding. USCIS will also include on our website examples of the exceptional circumstances that might warrant expedited processing, such as cases where an applicant is facing imminent harm in the country of asylum, is at risk of *refoulement*, or has a serious medical condition that cannot be treated locally.

Discussion: USCIS communicates and works cooperatively with our program partners to expedite¹ especially vulnerable cases, within the authority and capacity of each entity. Because the USRAP involves multiple entities which are responsible for different parts of the resettlement process, USCIS cannot establish criteria on our own for expediting urgent refugee cases, but rather must coordinate closely with program partners. Depending on where a case is in the resettlement process, a different entity will take the lead in attempting to expedite a case.

¹ Note that in some situations, expediting a case is outside the control of DOS, UNHCR, or USCIS. For example, some required security checks are conducted by other agencies, and while the USRAP can request that these agencies expedite the checks, DOS and USCIS cannot compel these agencies to complete their screening within a certain timeframe. Furthermore, by statute, certain medical conditions such as tuberculosis require that treatment be completed prior to travel.

Response to Recommendation 44
Page 3

The primary USRAP program partners involved in the overseas resettlement process are the UNHCR, DOS's Bureau of Population, Refugees, and Migration (PRM), and organizations under cooperative agreements with PRM known as OPEs. DOS has overall management responsibility for coordinating USRAP activities, including identifying the groups of applicants who are qualified for resettlement consideration, and USCIS has the critical role of interviewing refugee applicants to determine whether they are eligible for refugee status.

Given that all refugee applicants seeking resettlement face risks and hardships, the USRAP operates under the philosophy that all applicants should be processed as expeditiously as possible. The program recognizes that expediting certain cases may result in delays for other applicants in the processing queue as processing capacity of all program partners overseas is finite. Thus, the decision to expedite any particular application over another is based on an assessment of case-specific factors and a general assessment that the applicant (or his or her accompanying family members) is qualitatively more vulnerable than other refugee applicants who also face hardships. Cases deemed to warrant accelerated processing typically involve extraordinary circumstances, including, for example, where an applicant faces imminent harm in the country of asylum, is at risk of *refoulement*, or has a serious medical condition that cannot be treated locally.

The identification of cases in need of expedited processing is generally done by the USRAP program partners themselves, including UNHCR, the OPE, or a Refugee Coordinator or other DOS official. In some instances, a USCIS officer may learn during the refugee interview that an applicant is in a situation that requires immediate attention. The interviewing officer will notify UNHCR² or the OPE to have the case expedited, with consideration given to any additional security or protection requirements. Because the USRAP program partners have a comprehensive view of the full refugee caseload within a region, they are well-equipped to assess the need to expedite the most vulnerable individuals.

Given that the majority of refugee applicants encountered in the USRAP generally do not obtain legal representation or assistance from advocates, it is critical that USRAP program partners continue the practice of actively identifying individuals facing extraordinary protection or medical needs. At the same time, we agree that there should be a clear mechanism for applicants or their representatives to notify the USRAP directly if they have such concerns.

2A. Identify with particularity potentially adverse determinations arising during the interview to enable the applicant to address, at that time, any potential grounds for denial.

USCIS Response: USCIS partially concurs with the Ombudsman's recommendation to notify the applicant of any ineligibility identified during the interview. USCIS officers are trained to gather testimony and facts carefully to support their analysis of the applicant's eligibility and to provide applicants with an opportunity to clarify, correct, or provide explanations for inconsistencies or issues of concern. USCIS is committed to ensuring that this practice occurs through ongoing

² If a case is particularly urgent, UNHCR may choose to refer the applicant to another resettlement country that is better equipped to handle urgent requests, such as countries that accept refugee cases on a dossier basis.

Response to Recommendation 44
Page 4

training as well as supervisory and quality assurance reviews. However, given that there may be security issues or additional case review needed in order to finalize a refugee case decision, notifying each applicant of all possible ineligibilities during the interview may not be possible or appropriate in every case.

Discussion: USCIS officers are trained to carefully gather testimony and facts to support their analysis regarding the applicant's eligibility and to provide applicants with an opportunity to clarify, correct, or provide explanations for inconsistencies or issues of concern. In cases that present credibility issues, for example, the Refugee Officer Training Course (ROTC) instructs officers that they are required at the time of interview to advise applicants of any credibility concerns that arise and provide applicants an opportunity to explain any inconsistency, implausibility, or lack of detail that is identified. This practice has been standard since the creation of a formal training regime for refugee adjudicators in 2001. ROTC lesson plans also instruct officers to take into account age, culture, language, prolonged discrimination or harm, and a host of other factors that may affect an applicant's ability to testify or have bearing on a credibility determination. Once the officer has addressed the issue and given the applicant an opportunity to explain any discrepancies, the applicant's response is recorded in the interview notes and taken into account in the officer's decision.

As part of their required pre-departure training, all officers deployed on refugee processing circuit rides are reminded of the procedures for addressing credibility issues and their duty to elicit all relevant information from the applicant. In addition, in January 2010, the Refugee Affairs Division (RAD) provided all Refugee Officers with formal refresher training on credibility and eliciting testimony. The training reiterated the importance of providing applicants an opportunity to explain any discrepancies or credibility issues identified. Officers were also reminded that not only must they provide applicants with an opportunity to address such concerns, but they must also document it fully in their notes, and -- absent adequate documentation -- reinterview the applicant when warranted.

In addition, in Fiscal Year 2009, USCIS piloted a new quality assurance (QA) program for refugee adjudications, including the review of a statistically valid sample of refugee cases. Once finalized and fully implemented, this QA program will provide USCIS with a quantitative measure over time to determine whether refugee applicants are being given appropriate notice of potentially adverse decisions during their interviews.

It is important to note, however, that USCIS officers do not issue final decision notices at the conclusion of the interview, nor is the applicant informed of the officer's recommended decision at that time. There are a number of reasons for this including 1) the need to finalize security checks in many cases, which might reveal additional grounds of ineligibility, 2) the need to conduct supervisory review of all refugee case decisions, and 3) given the complexity of refugee adjudications, the need to conduct further research or higher-level review by USCIS headquarters.

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2B. Articulate in the "Notice of Ineligibility for Resettlement" clear and case-specific information regarding the grounds for denial.

USCIS Response: USCIS partially concurs with the Ombudsman's recommendation. Based on previous feedback received from stakeholders, USCIS issued a new Notice of Ineligibility for Resettlement, in October 2009 that, while maintaining a checkbox format, provides more detailed information regarding the reasons an applicant has been found ineligible. USCIS believes the revised Notice achieves the Ombudsman's goal to provide clear and transparent information to refugee applicants and stakeholders on case decisions while ensuring that USCIS can maintain quality control and processing efficiencies. USCIS will assess the efficacy of the revised Notice throughout the year and will reconsider the Ombudsman's recommendation after the assessment is complete.

Discussion: USCIS is committed to providing refugee applicants with clear information on the reasons they were found ineligible for refugee resettlement. To this end, USCIS revised its Notice of Ineligibility in October 2009 by providing greater detail regarding the specific reasons for denial. For example, the information in the "Credibility" section of the Notice has been expanded to include the reasons the applicant was found not credible, including which eligibility requirements, as outlined under INA Section 207, were implicated by the finding. The Notice also includes a section to record how the credibility issues were identified (e.g., internal inconsistencies in the applicant's testimony). We believe that the new Notice is an improvement over the previous notice, as it provides more detailed information to denied refugee applicants, while maintaining an efficient and consistent format for reporting the reasons for denials.

USCIS has requested and welcomes feedback from refugee applicants and stakeholders on the new Notice of Ineligibility for Resettlement. In addition, we plan to undertake a QA review of Requests for Review (RFRs) received before and after issuance of the new Notice by the end of Fiscal Year 2010. As part of this review, USCIS will evaluate whether applicants were better able to address the specific grounds of denial in their RFRs based on the information contained in the newly designed Notice. After considering stakeholder feedback as well as the results of the QA study, USCIS will assess whether additional changes should be made to the Notice of Ineligibility for Resettlement in Fiscal Year 2011.

3A. Providing a tip sheet on relevant supporting documents with the "Notice of Ineligibility for Resettlement" outlining the information applicants could include.

USCIS Response: USCIS concurs with this recommendation and expects to issue a standardized "tip sheet" on RFRs that will be distributed with the Notice by the fourth quarter of Fiscal Year 2010. This "tip sheet" will also be posted to the USCIS.gov Internet website.

Discussion: As noted in the recommendation, some OPEs have created their own cover sheets to provide information to denied refugee applicants regarding the RFR process. USCIS is currently working with DOS to standardize a "tip sheet" that will be provided to all denied refugee applicants explaining the RFR process, how to write and submit an RFR, and what to expect from the review.

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In addition to the general recommendation to develop an RFR information sheet, the report specifically suggests that the tip sheet list the types of documentary evidence USCIS considers pertinent to RFR decision-making. A list of these pertinent documents is included in Figure 2 (page 12). USCIS notes, however, that in the refugee context, applicants may not be required to submit documents where they do not exist or cannot reasonably be obtained, and credible testimony alone may be sufficient to establish eligibility for classification as a refugee. Thus, inclusion of such exemplars on the tip sheet may suggest to applicants that they *must* provide such documents in order to be approved, which would be erroneous. If a specific document is needed to corroborate a claim, USCIS officers will issue the applicant a deferral notice requesting that document.

3B. Publish mailing address(es) for "Request for Reconsideration."

USCIS Response: USCIS agrees that mailing and/or email addresses for submitting RFRs should be published. The appropriate mailing address will be included as a customized field in the forthcoming tip sheet and on the USCIS website.³

4. Acknowledge receipt of each Request for Reconsideration submitted.

USCIS Response: USCIS agrees that applicants should be provided with an acknowledgement of receipt of their RFRs.

Discussion: USCIS is developing a case management system to track overseas adjudications, including RFRs, and the capability to generate notices of receipt will be included in the system. The receipt notices will also include an estimated timeframe for processing of the RFR. As part of this development, USCIS will coordinate with DOS to establish location-specific protocols for receiving RFRs and updating the case management system to ensure receipt notices are produced consistently and efficiently. In addition, the process for providing applicants with a receipt notice either in person, through standard mail, or via electronic mail will be considered.

³ In that Figure 3 illustrates only locations where the bulk of refugees interviewed are Iraqi nationals, USCIS notes two additions: (1) RFRs from Algeria, Bahrain, Egypt, Iraq, Jordan, Libya, Morocco, Oman, Saudi Arabia, Tunisia and Qatar may also be sent to the OPE, the International Organization for Migration, in Amman, Jordan. (2) RFRs from Turkey should be sent to the Athens, Greece field office.

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Appendix A: Technical Corrections

USCIS would like to clarify the following items in the report:

- Executive Summary, second paragraph: 74,654 is the total number of refugees admitted to the U.S. in Fiscal Year 2009, not the number approved.
- Footnote 4: USCIS does not “admit” refugees to the United States. The authority to admit refugees is delegated to U.S. Customs and Border Protection. Further, 18,833 Iraqi refugees were admitted to the United States in Fiscal Year 2009, while USCIS approved 20,587 Iraqi refugee applicants throughout the fiscal year.
- Footnote 14: The majority of Afghans have not fled to Jordan and Syria.
- Footnote 16: One out four refugees under UNHCR’s mandate – 2.8 million – is from Afghanistan. Afghans are the second largest group of refugees in the world, and Iraqis are the third largest group of refugees. Palestinians are the largest group of refugees in the world at 4.7 million.
- Footnote 21: PRM supervises all refugee processing activities conducted by OPEs and the initial resettlement period in the United States through cooperative agreements with voluntary agencies that provide initial housing and other support. The Department of Health and Human Services Office of Refugee Resettlement funds longer-term support for refugee arrivals.
- Footnote 24: This footnote states that USCIS’s Notice of Ineligibility for Refugee Resettlement “is not a formal denial letter,” unlike denial letters issued to applicants and petitioners filing for other immigration benefits. However, the Notice of Ineligibility is an official agency denial, indicating that the applicant has been denied classification as a refugee.
- Pages 10-11 and Footnote 53: The Asylum Procedures Manual does not discuss a mechanism for release of Asylum Officer interview notes in the affirmative asylum context, as suggested by citing the procedures manual in the footnote. In addition, interview notes are not routinely released to applicants. Notes from an affirmative asylum interview are considered part of the officer work product and are generally not released to applicants or their representatives, although there have been occasions when they have been provided as part of a Freedom of Information Act request. Officer notes may be released during court proceedings as part of the defensive asylum process if they have been introduced as evidence.
- USCIS notes that the “Expedite Criteria” listed in Figure 1 (page 10) do not accurately reflect the actual factors USCIS takes into account in considering whether to expedite a refugee case. These criteria have not been formally established by DOS or USCIS in any publication or guidance, and the Ombudsman’s office did not validate them with USCIS after the referenced “discussions” with PRM.
- USCIS would like to clarify that the acronym “RFR” represents “Request for Review” not “Request for Reconsideration” as is listed in the report.